

# Short-term Loan Establishment Checklist (NEW)

Investigator: \_\_\_\_\_

D/B/A Name and Address: \_\_\_\_\_

Date Application Assigned: \_\_\_\_\_ Date Case Completed: \_\_\_\_\_

*In order to begin processing a short term loan application, an **applicant** must submit the following:*

\_\_\_\_\_ Short-term Loan Establishment Business Application (**must be signed and notarized**)

*All of the following information listed below must be submitted by the applicant:*

Have   Need

- \_\_\_\_\_   \_\_\_\_\_   Consultant consent form signed by the applicant (only applicable if a consultant is used)
- \_\_\_\_\_   \_\_\_\_\_   Four recent photographs (one each of the front, back and both sides of the premises to be licensed)
- \_\_\_\_\_   \_\_\_\_\_   One recent photograph of each sign that is located on the interior or exterior of the building that is visible to the public from the exterior of the building (see sec. 43-23 for specific regulations)
- \_\_\_\_\_   \_\_\_\_\_   **LLC Only** – A copy of the OPERATING AGREEMENT listing all of the members and managers of the LLC, **or;**  
**Corporation Only** – A copy of the BYLAWS and all amendments **and** organizational minutes, verifying all corporate officers, share holders and number of shares held, **or;**  
**Partnership Only** – A copy of the PARTNERSHIP AGREEMENT (limited partnership requires partnership application and appointment of the managing partner) – The managing partner must be noted on the application
- \_\_\_\_\_   \_\_\_\_\_   CERTIFICATE OF GOOD STANDING **from the State of Missouri**. If the business is less than one year old or a Certificate of Good Standing cannot be retrieved, submit a CERTIFICATE OF ORGANIZATION (LLC or limited partnership – Not *general partnership*), **or;** CERTIFICATE OF INCORPORATION (corporation) **from the State of Missouri** – State Office Building, 615 E. 13<sup>th</sup> Street, (816) 889-2672
- \_\_\_\_\_   \_\_\_\_\_   Fictitious Name Registration (**If D/B/A is different than the corporate name**) from State Office Building, 615 E. 13<sup>th</sup> St., (816) 889-2672
- \_\_\_\_\_   \_\_\_\_\_   A statement of no sales/use tax due dated within the preceding 90 days from the date of application (City Hall, Finance Department, 414 E 12<sup>th</sup> Street, 816-513-1120 or 816-513-1135)

An application can be processed without the **Contingency Items** that are listed below; however, all **Contingency Items** must be submitted before a license will be issued:

Have   Need

- \_\_\_\_\_   \_\_\_\_\_   A copy of the Certificate of Occupancy from City Planning and Development Department, 414 E. 12<sup>th</sup> Street, (816) 513-1407 – **Contingency Item**
- \_\_\_\_\_   \_\_\_\_\_   A copy of the Zoning Clearance **or** the Certificate of Legal Nonconformance showing the use of the premises for the proposed business is permitted through zoning (Only if zoning does not permit premises otherwise) from City Planning and Development Department, 414 E. 12<sup>th</sup> St., (816) 513-1407 – **Contingency Item**
- \_\_\_\_\_   \_\_\_\_\_   A copy of the Fire Permit **or** Certificate of Compliance from the Fire Marshal's Office, 635 Woodland Ave., (816) 784-9100 – **Contingency Item**

Have   Need

\_\_\_   \_\_\_   A Certificate of Compliance (must be from the DBA making application) stating no exterior code violations currently exist on the property from Neighborhood Preservation Division of the Neighborhood and Community Services Department, 4900 Swope Parkway, (816) 513-9010 – **Contingency Item**

*The following requirements will be completed by the Investigator working on your case:*

Have   Need

\_\_\_   \_\_\_   **Investigator Requirement** – Complete and submit the “short term loan establishment supplemental checklist”.

\_\_\_   \_\_\_   **Investigator Requirement** – Submit final “compliance” photographs of the facility showing no violations and upload photos in EnerGov.

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that there is a “no loitering” policy posted on the premises, including parking areas and other exterior parts of the premises. **Sec. 43-23(1)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that signage has been limited to **only one wall** or fascia sign on any building wall with a total square feet of area of advertising copy not to exceed 5 percent of the total square feet of area of such wall and displaying only non-primary colors (primary colors are red, yellow and blue). In multiple story buildings, the total height of the wall shall not exceed 20 feet for the purpose of this computation. **Sec. 43-23(2)**

**The wall measurement will be taken as follows:** The length of the wall multiplied by height of the wall (not to exceed 20 feet) multiplied by .05 (5 percent is total square feet allowed) where all measurements or fractions will be rounded up (example: 30’ (length – actual measurement 29 feet 4 inches) X 15’ (height) = 450 (total square feet) X .05 = 22.5 total square feet allowed for the sign (round up to 23). This means that a sign 5 feet long by 4 feet high would be permissible for this wall.

Wall: Height \_\_\_\_\_ (X) Length \_\_\_\_\_ = \_\_\_\_\_ (X) .05 = \_\_\_\_\_ (Total square feet allowed for signage)

Sign 1: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_ Sign 2: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_ Sign 3: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_

Sign 4: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_ Sign 5: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_ Sign 6: \_\_\_\_\_ (H) \_\_\_\_\_ (L) \_\_\_\_\_

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that the use, installation or erection of any incidental, temporary, changeable copy, digital equipment display, revolving, flashing, blinking or animated movement by mechanical means of **roof signs** advertising the short-term loan establishment or any services or products offered is not in use. **Sec. 43-23(3)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that no banner has been installed or erected. **Sec. 43-23(4)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that the exterior of the premises has not been painted or covered with a primary color (primary colors are red, yellow and blue). If the exterior of the premises has been painted or covered with a primary color, any such painting or covering must be repainted or recovered with a non-primary color before a permit will be granted. **Sec. 43-23(5)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that the premises and all adjacent sidewalks and alleys within 50 feet of the premises have been properly maintained so that no trash or litter is found thereon. **Sec. 43-23(12)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that the licensee or a manager of the business is present at the premises at all times during its hours of operation. **Sec. 43-23(13)**

\_\_\_   \_\_\_   **Investigator Requirement** – Visit the facility and verify that a notice has been posted in a print not less than 24-point, bold type within 3 feet of each location within the premises at which a customer, borrower or other member of the general public is invited or directed to stand or sit to either apply for a loan, to answer or ask questions, to review or sign transaction documents, to receive loan proceeds, to make

payments or to inquire about, or apply for, the renewal or the rolling over of a loan, which sets out the the following information:

- (i) The interest rates and fees charged
- (ii) The annual percentage rate equivalent of the aggregate of those interest rates and fees charged per \$100 borrowed
- (iii) A computation of the amounts that would be paid on an original loan renewed or rolled-over after the expiration of its original term without any payment of either principal or interest each time, up to the six times
- (iv) A warning that default may result in loss of property used as security for the loan and garnishment of wages, and checking and savings accounts
- (v) Notice of any state or federal rights to rescind the loan agreement. **Sec. 43-23(6)**

**This** is a sample of 24-point, bold type print and below is a sample letter based on the ordinance requirement of section 43-23(6):

1. The maximum amount of interest and fees that a lender may collect on the entire term of a single loan is seventy-five percent (75%) of the initial loan amount.
2. The borrower must reduce the principal amount of the loan by not less than five percent (5%) of the original loan amount upon the first renewal of the loan agreement and each subsequent renewal.
3. A loan agreement may be renewed a maximum of six (6) times. (The company specific renewal policy and options should be inserted here along with formula and payout amount on \$100 for each option of the company)

Example:

**First Payment Loan Option:**

<u>Loan</u>	<u>Payment</u>
\$100.00	\$118.00
<b>Total Amount Paid = \$118.00</b>	

**Second Payment Loan Option:**

Three (3) equal payments plus payoff

<u>Loan</u>	<u>Payment</u>	<u>Payoff on 4</u>
\$100.00	\$23.00	\$96.62
<b>Total Amount Paid = \$165.92</b>		

**Third Payment Loan Option:**

Six (6) equal payments plus payoff

<u>Loan</u>	<u>Payment</u>
\$100.00	\$23.00
<b>Total Amount Paid = \$168.00</b>	

4. **Warning:** Failure to pay the loan may result in loss of property used as security for the loan and garnishment of wages and checking and savings accounts. You may cancel this loan without costs by returning the full principal balance to the lender by the close of the lenders' next full business day.

*Short-term Loan Establishment Business* (definition) – A business engaged in providing short-term loans of money of an original term of less than 31 days, with or without security given by the borrower or with or without a co-maker, guarantor, endorser or surety, to members of the general public as an element of its operation and which is not a bank or a savings and loan association. Short-term loan establishments shall include businesses offering what is, or is marketed as, payday loans, signature loans, title (to vehicles, boats, or other personal property, but not real estate) loans, check cashing loans, small loans and other similar loans; but, does not include pawn shops.