

## Debt Collection Agency New & Renewal License Application Supplement

**Instructions:** You must enter current information for your business in this Supplement and affirm that your responses are true and complete. For the purposes of this form, the terms “you” and “your” refer to the business entity applying for a license or renewal.

<b>Applicant / Licensee Information:</b>											
<p><b>(A) Legal Name of Business:</b> <i>Must be exactly as filed with the New York State Secretary of State or County Clerk.</i></p>  <p><b>Note:</b> <i>Your corporation or limited liability company must be “active” with the New York State Division of Corporations.</i></p>	<p><b>(B) DCWP License Number:</b> <i>Fill in if you are <u>renewing</u>; leave blank if this is a <u>new</u> license application.</i></p> <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>										
<p><b>(C) Business Premises Address:</b> <i>(Building Number, Street Name, Apartment/Suite/Other)</i></p>											
City:	State/Province:	ZIP Code:	Country:								
<p><b>(D) Website:</b></p>											

For the questions that follow:

- “Debt” has the meaning defined in Section 20-489(d) of the New York City Administrative Code:  
*“The term ‘debt’ means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment, or any obligation or alleged obligation arising out of a judgment or valid agreement for the payment of child support.”*
- Include communications and accounts collected by you *and* any third party acting on your behalf.
- “Last license renewal cycle” means the time since you submitted your most recent license application or renewal license application. When applicable, you must enter a number or check NONE. **Applicants for a new license may check NONE for the last license renewal cycle.**

<p><b>1. (a)</b> From how many NYC consumer accounts did you collect or attempt to collect a debt since the last license renewal cycle?</p> <p><i>This includes any consumer account you referred to an attorney-at-law or law firm to collect or commence an action against the consumer on your behalf.</i></p>	<p><b>Total number of accounts:</b></p> <p>_____ or <input type="checkbox"/> <b>NONE</b></p>	
<p><b>(b)</b> Do you send written communications, including electronic communications, to NYC consumers to collect debt?</p>	<p><input type="checkbox"/> <b>YES</b> (contacts consumers to collect debt)</p>	<p><input type="checkbox"/> <b>NO</b> (does <i>not</i> contact consumers to collect debt)</p>

<p><b>(c)</b> How many written communications have you sent to NYC consumers to collect debt since the last license renewal cycle?</p>	<p><b>Total number of written communications:</b>          _____ or <input type="checkbox"/> <b>NONE</b></p>	
<p><b>2. (a)</b> Do you or will you collect debts from NYC consumers in a language other than English?</p>	<p><input type="checkbox"/> <b>YES</b>          (contacts consumers in a language other than English)</p>	<p><input type="checkbox"/> <b>NO</b>          (does <i>not</i> contact consumers in a language other than English)</p>
<p><b>(b)</b> If YES, which language(s)?</p>	<p><input type="checkbox"/> Spanish  <input type="checkbox"/> Arabic  <input type="checkbox"/> Chinese  <input type="checkbox"/> Haitian Creole</p>	<p><input type="checkbox"/> Korean  <input type="checkbox"/> Russian  <input type="checkbox"/> Other:          _____</p>
<p><b>(c)</b> If YES, what services do you or will you provide consumers in a language other than English?</p>	<p><input type="checkbox"/> Collection letters   <input type="checkbox"/> Multilingual customer service representatives</p>	<p><input type="checkbox"/> General translation services   <input type="checkbox"/> Other:          _____</p>
<p><b>3.</b> Do you or will you purchase delinquent debt pertaining to NYC consumers?</p>	<p><input type="checkbox"/> <b>YES</b>          (purchases delinquent debt)</p>	<p><input type="checkbox"/> <b>NO</b>          (does <i>not</i> purchase delinquent debt)</p>
<p><b>4. (a)</b> Is your business a law firm that collects or will collect debt from NYC consumers?</p>	<p><input type="checkbox"/> <b>YES</b>          (law firm)   <i>If YES, you must answer Question 4(b).</i></p>	<p><input type="checkbox"/> <b>NO</b>          (<i>not</i> a law firm)   <i>If NO, you must answer Question 4(c).</i></p>
<p><b>(b)</b> If YES to 4(a), how many cases did you file on behalf of plaintiffs to recover debt against NYC consumers since the last license renewal cycle?</p>	<p><b>Total number of cases:</b>          _____ or <input type="checkbox"/> <b>NONE</b></p>	
<p><b>(c)</b> If NO to 4(a), how many cases were filed on your behalf in New York State courts to recover debt from NYC consumers since the last license renewal cycle?</p>	<p><b>Total number of cases:</b>          _____ or <input type="checkbox"/> <b>NONE</b></p>	
<p><b>5.</b> Does a third party collect debt or engage in communications to collect debt from NYC consumers on your behalf?</p>	<p><input type="checkbox"/> <b>YES</b>   <i>If YES, you must include third-party collections and communications in all your answers.</i></p>	<p><input type="checkbox"/> <b>NO</b></p>

6. Check all the type(s) of business activities pertaining to **NYC consumers** that you engage in or will engage in once you obtain a license:

a. Rental debt collections	<input type="checkbox"/>	k. Third party collections	<input type="checkbox"/>
b. Debt buyer	<input type="checkbox"/>	l. Child support collections	<input type="checkbox"/>
c. Furnish consumer information to credit bureaus	<input type="checkbox"/>	m. Student loan debt servicing	<input type="checkbox"/>
d. Bad check recovery	<input type="checkbox"/>	n. Student loan debt collections	<input type="checkbox"/>
e. Consumer credit card collections	<input type="checkbox"/>	o. Initiating consumer collection lawsuits <i>(includes referring cases to an attorney or law firm)</i>	<input type="checkbox"/>
f. Government / Municipal collections	<input type="checkbox"/>	p. Enforcing consumer credit judgments <i>(includes referring cases to an attorney or law firm)</i>	<input type="checkbox"/>
g. Medical debt collections <i>Include percentage: _____%</i>	<input type="checkbox"/>	q. Mortgage financing	<input type="checkbox"/>
h. Payday loan collections	<input type="checkbox"/>	r. Telecom / Utilities collections	<input type="checkbox"/>
i. Automobile debt collections	<input type="checkbox"/>	s. Collect debt from consumers in the U.S. military service	<input type="checkbox"/>
j. Collect on time-barred or expired debt <i>Include percentage: _____%</i>	<input type="checkbox"/>	t. Other (describe): _____	<input type="checkbox"/>

7. (a) As of the last license renewal cycle, was the Applicant subject to:

- (1) an adverse finding in private litigation (other than procedural matters) related to debt collection practices; or
- (2) an adverse finding; license revocation, denial, or suspension; any proceeding (whether pending or resolved); or a settlement agreement related to debt collection practices (other than unlicensed activity) by any regulatory agency, including but not limited to the Federal Trade Commission (FTC), Consumer Financial Protection Bureau (CFPB), State Attorneys General, or a consumer affairs agency in any jurisdiction?

YES       NO

**(b) If YES**, you must provide copies of all unfavorable findings in private litigation and all findings, consent orders, or settlements with any government or regulatory body in the prior year and current year and certify below that you provided the required documents. DCWP WILL DENY YOUR APPLICATION IF YOU FAIL TO SUBMIT ACTUAL COPIES OF THE REQUIRED DOCUMENTS WITH THIS APPLICATION.

I, \_\_\_\_\_, certify that I provided true and accurate copies of documents for the years required in 7(b).

8. Do you or will you charge fees to NYC consumers for processing payments (for example, convenience fees)?

YES

NO

9. Do you or will you maintain written protocols, policies, or guidelines addressing the following activities (check all that apply):

Handling consumer debt disputes	<input type="checkbox"/>	Providing services to consumers in a language other than English	<input type="checkbox"/>
Responding to consumer complaints	<input type="checkbox"/>	Collecting on medical debt	<input type="checkbox"/>
Providing consumers written verification of debts	<input type="checkbox"/>	Maintaining debt collection records	<input type="checkbox"/>
Collecting time-barred or expired debts	<input type="checkbox"/>	Providing information about a debt to consumer reporting agencies	<input type="checkbox"/>

10. Provide the following information about the person who completed this form:

Person completing this form:		
<b>(A)</b> Name:		
<b>(B)</b> Title:		<b>(C)</b> Company:
<b>(D)</b> Address:		
<b>(E)</b> Phone:	<b>(F)</b> Fax:	<b>(G)</b> Email:
<b>(H)</b> Relationship to applicant / license holder:		
<input type="checkbox"/> I am a designated representative of the license holder.		
<input type="checkbox"/> I am an owner, partner, or corporate officer of the license holder.		

## Affirmation

Please read and sign below.

I am authorized to complete and submit this Debt Collection Agency New & Renewal License Application Supplement (Supplement). I have reviewed the entire Supplement, including any attachments. To the best of my knowledge, this Supplement is true, correct, and complete.

If any of the information in this Supplement changes, Applicant must notify the Department of Consumer and Worker Protection (DCWP) in writing within 10 days of the change.

I understand that the submission of this Supplement does not mean that my license has been renewed and that any operation of my business after the expiration of my current license and before the issuance of a new license may subject me to penalties.

This Supplement shall be deemed executed in the City and State of New York and shall be governed by and construed in accordance with the laws of the State of New York (notwithstanding New York choice of law or conflict of law principles) and the laws of the United States.

### **PENALTY FOR FALSE STATEMENTS:**

Making a false statement or submitting fraudulent materials may be punishable by fine, imprisonment, or both, and also may result in the denial of your application or revocation of your license.

Under Section 175.35 of the New York Penal Law, you may be:

- fined up to \$5,000 or
- fined an amount that is twice the amount of money you received by making the false statement and / or
- sent to jail for up to 4 years

Punishment may also include but not be limited to fines or penalties of up to \$500 for each false statement.

If DCWP denies your license application due to false statements and/or falsified documents, DCWP may prohibit you from submitting another license application for the same license category for one year.

**By signing below, I understand and agree that I am swearing or affirming that I have told the truth in this Supplement.**

*If you submit this form as an electronically filled-in PDF, you may type your name in the signature field.*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Print Position/Title*

\_\_\_\_\_  
*Date*

All laws and rules of the City of New York, including the New York City Consumer Protection Law and Rules, are accessible via [nyc.gov/dcwp](http://nyc.gov/dcwp).