

<b>CONSUMER CREDIT NOTIFICATION (CCN) FREQUENTLY ASKED QUESTIONS</b>	<b>STATE OF UTAH</b> <b>Department of Financial Institutions</b> 324 South State Street, Suite 201, SLC, UT 84111 <a href="http://www.dfi.utah.gov">www.dfi.utah.gov</a> Fax: (801) 538-8894 Tel: (801) 538-8830
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***Which law requires someone to file a CCN and pay fees?***

The Utah Consumer Credit Code (Title 70C of the Utah Code Annotated) requires a notification and fees in [§70C-8](#).

***Am I required to file a CCN?***

In general, if you lend to Utah consumers primarily for personal, family or household purposes, you are required to file a CCN and pay related fees. A CCN could be required for many activities. Typically, the following activities conducted with Utah citizens are subject to the Utah Consumer Credit Code.

- Lending for personal, family or household purposes
- Selling or providing goods or services on a credit basis
- Making consumer leases or taking assignments of consumer debt
- Originating or servicing open-end mortgages or second mortgages
- Lending for manufactured housing or mobile homes that are not permanently affixed
- Collecting debt arising from consumer credit transactions

However, Title 70C has certain exceptions and specific definitions that could mean you may not be required to file a CCN. It is up to each entity to determine if it is subject to the Utah Consumer Credit Code and to comply accordingly. We strongly encourage you to read Title 70C to determine if it applies to your operations. Many have found the following sections helpful to make that determination.

- [§70C-8-201](#) Applicability
- [§70C-1-201](#) Covered Transactions
- [§70C-1-202](#) Exempted Transactions
- [§70C-1-302](#) Definitions, especially the definition of “Creditor”

***When should a CCN be filed?***

The CCN should be filed at least 30 days before you start consumer credit activities in Utah. Thereafter, you must renew your CCN on the NMLS between November 1<sup>st</sup> and December 31<sup>st</sup> each year. The same information is collected for new notifications and annual renewals.

***Does the CCN authorize someone to conduct business in states other than Utah?***

No. The CCN applies only to credit activities conducted with Utah citizens. You should check with every state where you will operate to identify any laws or requirements that may apply to your business.

***Do I need to file a CCN to lend for business or commercial purposes?***

You do not need to file a CCN if you are extending credit “primarily for business, commercial, or agricultural purposes.” Such transactions are exempt from Title 70C as per [§70C-1-202\(2\)\(a\)\(i\)](#). If you offer business or commercial purpose loans, please review the [Commercial Financing](#) page of our website.

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### ***Are collection agencies required to file a CCN?***

A CCN is required if the collection agency is “a party who has an office or place of business in Utah and takes an assignment of or undertakes direct collection of a payment from or enforcement of a right against a debtor arising from a consumer credit transaction” as per [§70C-8-201\(1\)\(b\)](#). If a CCN is required, it is in addition to requirements from the Utah Department of Commerce Division of Corporations and Commercial Code.

The Utah Department of Financial Institutions does not license or require bonds from collection agencies. If you have questions about collection agency licenses or bond requirements, please contact the [Utah Department of Commerce Division of Corporations and Commercial Code](#).

### ***How do I submit the CCN through the Nationwide Multistate Licensing System (NMLS)?***

To file a CCN, go to the [NMLS Checklist Compiler](#) and scroll down to the section titled “Checklist Compiler.” Under that title, click “*New Application*,” then scroll down in the License column (on the left) and click the drop-down arrow next to UTDFI. Select “Consumer Credit Notification” to view the checklist with submission instructions.

CCN submission through the NMLS is required by [§ 70C-8-202\(1\)\(c\)\(viii\)](#).

### ***Where can I get help with the NMLS?***

The [NMLS Call Center](#) provides user support for navigating the NMLS and performing essential functions within the System. You can call the Call Center at 855-665-7123, Monday through Friday 9 am to 9 pm Eastern Time, except for specified holidays.

You may also visit the [NMLS Resource Center](#) for NMLS-related tools, tips, news, and updates.

### ***What is an NMLS license item?***

License items are the primary method regulators use to communicate with applicants and licensees on the NMLS. They are concise messages sent in relation to a specific license instance and are used to inform recipients of missing requirements or deficiencies within their NMLS record.

Each time a license item is placed on your license or application, you will receive a system-generated email notification from the NMLS.

### ***What is an NMLS license status?***

The license status tells you about the condition of your application or CCN. When you submit your CCN application, the system typically sets the status to “Pending – Incomplete.” When we accept your application as complete, we will change the status to “Approved.” We will change the status over the life of the CCN as its condition changes. See [License Status Definitions](#) for the full list of currently available statuses.

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### ***Can I conduct consumer credit activities under a “Doing Business As” (DBA) name?***

Yes, and you must take the following actions in the NMLS to add each DBA to the CCN.

- List your DBA(s) in the Other Trade Names section of the NMLS’ Company Form (MU1).
- Upload each DBA’s Certificate of Existence (COE) to the NMLS.
  - Name the document: *UT-COE Your DBA*
  - Upload under the Document Type Certificate of Authority/Good Standing Certificate in the *Document Uploads* section of the Company Form (MU1).

You must submit a COE for every DBA. The COE must be dated (purchased) within 90 days of your CCN submission and show a business name that is an exact match to the DBA name. If these instructions are not followed, we will place a license item on your application with instructions and a deadline. If you do not comply with the license item instructions by the deadline, we will change your CCN status to “Withdrawn – Abandoned.”

Note: If you submit a COE for every DBA, you are not required to submit a COE for the company’s legal name.

### ***What is a Certificate of Existence (COE)?***

A COE is a document issued by the Utah Department of Commerce Division of Corporations and shows that an entity is authorized to transact business in Utah. It is different from the CCN because a CCN authorizes an entity to conduct activities subject to Title 70C.

### ***How do I purchase a COE?***

Go to the Utah Division of Corporations [website](#). Click the “Other Services” drop down menu and select “Ordering Documents Online.” A new page will pop up for a Business Search. Enter your company’s legal name (or DBA if you operate under a DBA) in the “Business Name” field, then click “Search.” On the search result list, find the correct business and click on either the business name or “Details.” In the business detail page, click on: “Purchase Certificate of Existence.” We only accept a COE that is dated (purchased) within 90 days of your CCN submission.

### ***Is there another document I can submit instead of a COE?***

No. We only accept COEs dated (purchased) within 90 days of a CCN submission. We will not accept a business license, certificate of registration, a screenshot, printed entity detail, or any other document instead of a COE.

### ***How can I pay the notification fee?***

The NMLS accepts Visa, MasterCard, and ACH payments. Please view the [NMLS Payment Options](#) document for details.

The Utah DFI stopped accepting CCN-related payments on August 16, 2024. Any CCN payments received after that date will be returned.

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### ***After I file a CCN, will I receive a license?***

No. Instead, we will acknowledge receipt of a complete CCN by changing your NMLS application's status to "Approved." You are not required to post or display our acceptance of your CCN. Anyone who wishes to view the status of your CCN may do so by visiting <https://nmlsconsumeraccess.org/>.

The CCN is a notification, not a license or registration. The purpose of the CCN is to notify us that you will be conducting consumer credit transactions with Utah consumers. We do not issue license numbers for CCNs.

### ***Will I receive an Acknowledgment of Consumer Credit Notification (aka Acknowledgment)?***

We stopped issuing Acknowledgments when the CCN moved to the NMLS in August of 2024. We now acknowledge receipt of a complete CCN by changing your NMLS application's status to "Approved."

### ***How do I complete the annual CCN renewal?***

We collect the same information for a CCN initial submissions and annual renewals. Every CCN submission that occurs in the NMLS between August 26, 2024 and December 31, 2024 will satisfy the statutory requirement to renew for 2025. In 2025 and following years, the renewal period begins November 1<sup>st</sup> and ends December 31<sup>st</sup>. The NMLS will email reminders and instructions for each year's renewal.

### ***What happens if I miss the December 31<sup>st</sup> renewal deadline?***

Utah law requires CCNs to be filed by December 31<sup>st</sup> each year. We stop accepting CCN submissions at 3:00 pm Mountain Time on December 31<sup>st</sup>. If you miss that deadline, your company will no longer be authorized to conduct consumer credit activities in Utah. You may not reinstate a CCN after the deadline.

However, if your CCN has expired, you may apply for a new one at any time. Please file the CCN as soon as possible to avoid conducting unauthorized activities.

### ***What should I do if information on my CCN changed after I filed it?***

To change a CCN, go to the [NMLS Checklist Compiler](#) and scroll down to the section titled "Checklist Compiler." Under that title, click "Amendment," then scroll down the License column and click the drop-down arrow next to UTDFI. Select "Consumer Credit Notification" to view the checklist with submission instructions.

While you are not required to inform this Department about changes until your next renewal, we would appreciate an Amendment if you changed the company's legal name or DBA. If that is the case, you must submit a COE for the new name.

### ***How do I surrender a CCN?***

To surrender a CCN, click "Surrender" on the [NMLS Checklist Compiler](#), then scroll down the License column and click the drop-down arrow next to UTDFI. Select "Consumer Credit Notification" to view the checklist with submission instructions.

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Please update your business activities in the NMLS before you submit a surrender. If your business activity list shows activities that appear to be subject to the Utah Consumer Credit Notification, we will ask you for an explanation and evaluate it before we accept the surrender.

***Where can I find out if someone has filed a CCN?***

Individuals who want to verify that an entity has submitted a CCN may do so online.

- For CCN holders as of August 25, 2024, visit our [website](#).
- To search for CCNs submitted on or after August 26, 2024, visit <https://nmlsconsumeraccess.org>.

If you cannot find specific entities on either website, it could mean that they have not filed CCNs, that the CCNs are in process, or that CCNs are not required.

***My question was not answered in the FAQs. Who can I contact for assistance?***

You can reach us at [msb.dfi@utah.gov](mailto:msb.dfi@utah.gov) or (801) 538-8830. If you call us, tell the receptionist you have questions about the Consumer Credit Notification.