TO: CHIEF OF POLICE, SHERIFF AND PAWNBROKER APPLICANT(S)

THIS NOTICE IS TO BRING TO THE ATTENTION OF THE LICENSING AGENCY AND PAWNBROKER APPLICANT(S) THE CONDITIONS PRECEDENT TO THE ISSUANCE OR RENEWAL OF A PAWNBROKER'S LICENSE, OUTLINED IN FINANCIAL CODE SECTIONS 21303 AND 21304 BELOW:

21303.(a) As a condition precedent to the issuance or renewal of a pawnbroker's license the applicant shall file a pawnbroker's two-year nonrevokable surety bond with the issuing authority, in the sum of twenty thousand dollars ($20,000). The pawnbroker's bond required by this article shall be executed by an admitted surety in favor of the State of California and shall be filed by the applicant with the licensing authority.

(b) The bond shall be for the benefit of pledgors of pledged property when the property is not available for redemption, due to the criminal negligence, criminal malfeasance, or other criminal conduct of the pawnbroker, and the pledgor has complied with the conditions precedent to redemption under the terms of the loan contract. The pledgor has the burden of establishing by clear and convincing evidence that all conditions precedent to redemption under the terms of the loan contract have been performed.

21304.(a) As a condition precedent to the issuing of a pawnbroker's license, the applicant shall file with the issuing authority a financial statement confirming that the applicant has at least one hundred thousand dollars ($100,000) in the form of liquid assets readily available for use in <u>each licensed</u> business for which the application is made, not including real property or in the absence of one hundred thousand dollars ($100,000), an applicant may post a nonrevokable surety bond in the amount of one hundred thousand dollars ($100,000) or the applicant may, in lieu of posting a surety bond, deposit money, certificates, accounts, bonds or notes, as provided in Section 995.710 of the Code of Civil Procedure. The financial statement shall be filed by the applicant under penalty of perjury and signed by a California certified public accountant verifying that he or she has ***reviewed*** the financial statement.

(b) This section is not applicable to any person holding a secondhand dealer's license pursuant to Section 21641 or 21642 of the Business and Professions Code and who is actively engaged as a pawnbroker on the effective date of this section.

STATE OF CALIFORNIA

Application for Secondhand Dealer or Pawnbroker License

JUS 125 (rev. 10/05)

DEPARTMENT OF JUSTICE

APPLICATION FOR SECONDHAND DEALER OR PAWNBROKER LICENSE

A. TYPE OF APPLICATION: (Check the appropriate box)

- ☐ **APPLICATION FOR SECONDHAND DEALER LICENSE (21641 B&P)**
- ☐ **APPLICATION FOR PAWNBROKER LICENSE (21300 FC)**
- ☐ **APPLICATION FOR RENEWAL:**
  - ☐ **Secondhand Dealer License (21642 B&P) State License No.: _____**
  - ☐ **Pawnbroker License (21301 FC) State License No.: _____**

DOJ USE ONLY

RECEIVED: _____

ORI: _____

EST: _____

COMPLETED: _____

B. LICENSING AGENCY INFORMATION: (Completed by licensing agency only. By completing this section, the licensing agency confirms receipt of a $20K non-revocable surety bond; and a reviewed fina ncial statement for PAWNBROKERS ONLY prior to the issuance of the license)

LICENSING AGENCY: _____ **DATE:** _____
(Substation if Applicable)

_____
Mailing Address City ZIP Code

LICENSING OFFICIAL: _____ **PHONE:** (____) _____
Name Title

THE FOLLOWING SECTIONS ARE TO BE COMPLETED BY THE APPLICANT(S)

C. BUSINESS OWNER(S) : (Name of individual, partners, or corporate officers)

_____ (____) _____
Name Title Home Phone

_____ (____) _____
Name Title Home Phone

_____ (____) _____
Name Title Home Phone

ATTACH ADDITIONAL SHEET IF NECESSARY. CHECK CIRCLE IF ADDITIONAL SHEET IS USED. ○

D. BUSINESS INFORMATION:

BUSINESS NAME: _____ **PHONE:** (____) _____

_____
Street Address City ZIP Code

BUSINESS OWNERSHIP: ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ CORPORATION
(If corporate name differs from business name, complete the following)

CORPORATION NAME: _____ **PHONE:** (____) _____

_____
Street Address City ZIP Code

E. OFF SITE STORAGE LOCATION:

WILL PROPERTY BELONGING TO THE BUSINESS BE STORED OFF THE BUSINESS PREMISES?
(Check) **YES*** ☐ **NO** ☐ **If **"yes,"** please provide the address location below:*

_____
Off Site Storage Street Address City ZIP Code

F. MULTIPLE SECONDHAND DEALER OR PAWNBROKER BUSINESSES:

DO ANY PARTIES TO THIS APPLICATION HAVE A FINANCIAL INTEREST IN ANY OTHER SECONDHAND DEALER OR PAWNBROKER BUSINESSES IN CALIFORNIA? **(Check)** **YES*** ☐ **NO** ☐

If "yes**," please provide the Business Name, Address, City and State Assigned Secondhand Dealer or Pawnbroker License Number on an additional sheet of paper, and check circle if additional sheet is used.* ○

G. ADDITIONAL INFORMATION:

HAVE ANY PARTIES TO THIS APPLICATION EVER BEEN CONVICTED OF AN ATTEMPT TO RECEIVE STOLEN PROPERTY OR ANY OTHER PROPERTY RELATED CRIME? **(Check)** **YES*** ☐ **NO** ☐

If "yes**," please provide the applicant's name, date and details of the arrest or conviction on an additional sheet of paper, and check the circle if additional sheet is used.* ○

H. CERTIFICATION:

"As the person responsible for completing the application for the business, I certify under the penalty of perjury that the information on this application is true and complete to the best of my knowledge."

_____
SIGNATURE TITLE DATE

WHITE-DOJ COPY / YELLOW-LICENSING AGENCY COPY / PINK-APPLICANT COPY

INSTRUCTIONS AND INFORMATION FOR COMPLETING THE APPLICATION FOR SECONDHAND DEALER OR PAWNBROKER LICENSE

Section A. TYPE OF APPLICATION

For a new application, the applicant must identify the type of business license by checking the appropriate box. If the application is for a renewal of an existing state secondhand dealer's license or pawnbroker's license, the licensee must check the appropriate box and provide the state license number. If the application is for an initial pawnbroker's license, ensure that the surety bond and financial statement are filed with the issuing agency. If the application is for a renewal of a pawnbroker's license, ensure that the surety bond is filed with the issuing agency.

Section B. LICENSING AUTHORITY INFORMATION

The licensing agency shall complete Section B. Enter agency information, the name, title, and phone number of official processing the application. Enter the date the completed application was received by your agency for transmittal to the Department of Justice (DOJ).

Section C. BUSINESS OWNERS

- If business is *Individually owned*, enter owner's name and home phone number.
- If business is a *Partnership*, enter each partner's name and home phone number.
- If business is a *Corporation*, enter each corporate officer's name, title and home phone number.
- To complete the application package, all parties listed in this Section must submit fingerprints for criminal offender record information background checks.
- Live Scan submissions, please submit a completed copy of the REQUEST FOR LIVE SCAN SERVICE, Applicant Submission form BCII 8016. The Applicant Submission form (BCII 8016) for the State Secondhand Dealer and Pawnbroker Unit includes pre-printed information. To order the Applicant Submission form (BCII 8016) for Secondhand Dealer and Pawnbroker applicants, please call [redacted]

Section D. BUSINESS INFORMATION

- Enter the business name and, if applicable, corporation name.
- Enter the address information of the business and, if applicable, corporation address.
- If the corporation name differs from the business name in Section D-1, provide the requested information.
- Check the appropriate type of business ownership.

Section E. OFF-SITE STORAGE LOCATION

If the applicant intends to store property belonging to the business other than at the business address in Section D, above, enter the Off-Site Storage Information. Exemption from disclosure of the off-site storage, on the licensure form, will require the local licensing agency to file with DOJ written instruction for exemption.

Section F. MULTIPLE SECONDHAND/PAWNBROKER BUSINESSES

If the response is "YES", attach a sheet disclosing: the business name, address, city, zip code, phone number and state assigned license number. If "NO", proceed to Section G.

Section G. ADDITIONAL INFORMATION

If the response is "YES", attach a sheet disclosing: applicant's name, date and details of the arrest, conviction and if available copy of the court disposition. If the response is "NO", proceed to Section H.

Section H. CERTIFICATION STATEMENT

The person responsible for completing the application or person responsible for the business must sign and date the certification.

DEPARTMENT OF JUSTICE FEE SCHEDULE:

Secondhand Dealer/Pawnbroker Application, JUS 125	= $195 (Payable to DOJ)
Criminal Offender Record Information Background Check	= $ 32 (Each applicant, payable to live scan agency.)

The DOJ fee schedule does not include any additional fee that the licensing authority may charge for processing this applicantion, pursuant to the Business and Professions Code or Financial Code, or for the service of taking fingerprints for the criminal offender record information background check. Payment to the DOJ must be made by check, cashier's check or money order. (Do not send cash.)

Should the applicant(s) be printed using the fingerprint hard card (FD 258) because the printing agency has an exemption to the Live Scan requirement, the fingerprint hard card(s), along with the required fees, payable to the DOJ, must be sent in with the application.