

FORECLOSURE CONSULTANT REGISTRATION FORM

You must register with and have been issued and maintain a certificate of registration from the Department of Justice, Attorney General's Office, in order to engage in the foreclosure consultant business after July 1, 2009. Your registration is not effective until you have registered with and have received a certificate of registration from the Department of Justice, Attorney General's Office. It is unlawful to act as a foreclosure consultant by taking any action specified in subdivision (a) of California Civil Code Section 2945.1, the California Foreclosure Consultant Law, until you have been issued a certificate of registration from the Department of Justice, Attorney General's Office.

If you have not registered and received your certificate of registration from the California Department of Justice, Attorney General's Office, by July 1, 2009, it is illegal under Civil Code section 2945.45 for you to continue in business as a foreclosure consultant.

You should send this application form, your application fee in the amount of \$850.00 (check made out to: "The California Attorney General's Office") and all of the required exhibits to the following address:

Foreclosure Consultant Registration Program
California Attorney General's Office
Consumer Law Section
300 South Spring Street, Suite 1702
Los Angeles, CA 90013

You must answer all questions and attach all required information. If you need additional space to answer any question, attach additional sheets of paper as needed, setting forth the number of the question being answered on the top of each additional sheet of paper.

- 1) List the Corporate/Business Name of the Foreclosure Consultant ("FC"):

- 2) List all other names used or to be used by the FC:

- 3) If the FC is a corporation, list the name and title of all officers:

- 4) If the FC is not a corporation, list the name(s) of all owner(s) of the FC:

- 5) List the FC's main mailing address:

- 6) List all address(es), in addition to the FC's main mailing address, used or proposed to be used by the FC:

- 7) List the FC's main telephone number(s):

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8) List all telephone number(s) used or proposed to be used by the FC:

9) List all Internet website(s) used or proposed to be used by the FC:

10) List all e-mail address(es) used or proposed to be used by the FC:

11) The FC must provide each of the following items with this application, labeled as the appropriate exhibit number (check those you are attaching):

- EXH. 1 A written script of all telephonic or broadcast advertising and other statements used or proposed to be used by the FC in connection with acting as a foreclosure consultant.
- EXH. 2 A copy of all print or electronic advertising and other promotional material used or proposed to be used by the FC in connection with acting as a foreclosure consultant.
- EXH. 3 A copy of each different contract, and any forms to be attached to the contract, used or proposed to be used by the FC with the FC's clients.
- EXH. 4 A copy of a currently effective surety bond in the amount of one hundred thousand dollars (\$100,000), executed by a corporate surety admitted to do business in this state, and an acknowledgement letter from the California Secretary of State indicating that a copy of the bond has been filed with the Secretary of State. The bond shall be made in favor of the State of California for the benefit of homeowners for damages caused by the foreclosure consultant's violation of California Civil Code sections 2945 - 2945.11 or any other provision of law.
- EXH. 5 A statement signed by either the President of the FC, if it is a corporation, or the primary owner of the FC business, if it is not a corporation, which states that the person has not been convicted of, or pled nolo contendere to, any crime involving fraud, misrepresentation, dishonesty or violation of California Civil Code sections 2945 - 2945.11. You may comply with this requirement by signing the form attached to this application as Exhibit 5 and returning the form which contains your original signature.
- EXH. 6 A statement signed by either the President of the FC, if it is a corporation, or the primary owner of the FC business, if it is not a corporation, which states that the person has not been liable under any civil judgment for fraud, misrepresentation, or violations of California Civil Code sections 2945 - 2945.11 or of Section 17200 or 17500 of the California Business and Professions Code. You may comply with this requirement by signing the form attached to this application as Exhibit 6 and returning the form which contains your original signature.
- EXH. 7 Enclosed is my check number _____, written on (name of financial institution _____) in the amount of \$850.00, for the Foreclosure Consultant application fee.

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FOR ANY ITEMS THAT ARE NOT ATTACHED, PLEASE STATE WHY SUCH ITEMS HAVE NOT BEEN PROVIDED:

YOUR REGISTRATION APPLICATION CANNOT BE PROCESSED UNTIL ALL THE INFORMATION AND ALL DOCUMENTS REQUIRED HAVE BEEN PROVIDED.

I, _____, DECLARE UNDER PENALTY OF PERJURY
(print name and office held if FC is a corporation; or print name of primary owner if not a corporation)

UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

DATE: _____

(SIGNATURE)

(PRINTED NAME)

The Department of Justice may refuse to issue, or may revoke, a certificate of registration because of any misstatement in the registration form, because the Foreclosure Consultant has been held liable for a violation or crime involving fraud, misrepresentation, dishonesty or a violation of California Civil Code sections 2945 - 2945.11, or violations of California Business and Professions Code sections 17200 or 17500, or because the Foreclosure Consultant has failed to maintain the required bond, or violated any provision of Civil Code sections 2920 - 2967. Additionally, under the law, you must file with the Attorney General's Office an update of any material change in any of the information set forth above, or contained in any of the exhibits you have submitted along with the Foreclosure Consultant Registration Form. Failure to do so can also lead to revocation of your certificate of registration.

After July 1, 2009, failure to have registered and obtain a certificate of registration from the Attorney General's Office before engaging in the business of a foreclosure consultant, as required by Civil Code section 2945.45, can be punished, for each violation, by a fine of not less than \$1,000 and not more than \$25,000 and by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

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Exhibit 5

I, _____ (print name of President if Foreclosure Consultant is a corporation; or print name of primary owner of the FC business if it is not a corporation), _____ (print, President, if a corporation; or, Owner, if the FC is not a corporation) have not been convicted of, or pled nolo contendere to, any crime involving fraud, misrepresentation, dishonesty or violation of California Civil Code sections 2945 - 2945.11.

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT.

DATE:

(SIGNATURE)

(PRINTED NAME)

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Exhibit 6

I, _____ (print name of President if Foreclosure Consultant is a corporation; or print name of primary owner of the FC business if it is not a corporation), _____ (print, President, if a corporation; or, Owner, if the FC is not a corporation) have not been liable under any civil judgment for fraud, misrepresentation, or violations of California Civil Code sections 2945 - 2945.11 or of Section 17200 or 17500 of the California Business and Professions Code.

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT.

DATE:

(SIGNATURE)

(PRINTED NAME)

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Foreclosure Consultant Privacy Notice

As Required by Civil Code §1798.17

Information Collection, Use and Access

Collection and Use of Personal Information: The Consumer Law Section of the California Department of Justice collects the information on this form as authorized by Government Code sections 11180, 11181, and 11182, and Civil Code section 2945 et seq. The Consumer Law Section uses this information in its review of your application to register as a Foreclosure Consultant (Civil Code section 2945.45). We may also use this information to investigate alleged misconduct and in any law enforcement action based on that misconduct. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices and state policy. The Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy>.

Providing Personal Information is Required: All of the personal information requested in the form must be provided, including but not limited to all information required in Civil Code section 2945.45 (including name, complete business addresses, and telephone numbers used by the foreclosure consultant.) This form will not be processed if you fail to provide all personal information requested.

Access to Your Information: You may review the registration materials and forms that you submitted to the Consumer Law Section.

Possible Disclosure of Personal Information: In order to process your registration application, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us. We may also need to share the information to further any investigation of any claim against you by any other government agency. In addition, some of your information, including the name of the business and the business's address, will be available and searchable on our website.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act Request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law;
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information: For questions about your registration, please contact the Foreclosure Consultant Registration Program at FC.Registration@doj.ca.gov or call (415) 510-4400.