

**RULES
OF
DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS
TENNESSEE CREDIT SERVICES BUSINESSES BOND REGISTRATION PROGRAM**

**CHAPTER 0780-05-17
CREDIT SERVICES BUSINESSES**

TABLE OF CONTENTS

0780-05-17-.01	Purpose	0780-05-17-.03	Civil Penalties
0780-05-17-.02	Bond Requirements and Filing Fee		

0780-05-17-.01 PURPOSE.

The purpose of this chapter is to provide for administration and implementation of the credit services businesses bond posting program from the Tennessee Credit Services Businesses Act, Tenn. Code Ann., Title 47, Chapter 18, Part 10 (as amended by Public Acts of 2015, Chapter 339), herein referred to as the "Act".

Authority: T.C.A. §§ 56-1-302(5) and 47-18-1011. **Administrative History:** Original rule filed August 8, 2016; effective November 6, 2016.

0780-05-17-.02 BOND REQUIREMENTS AND FILING FEE.

- (1) The bond required pursuant to § 47-18-1011 shall be issued by a corporate surety authorized to do business in Tennessee and shall be in an amount of not less than \$100,000.00.
- (2) The bond shall be maintained for two (2) years following the date on which the credit services business ceases to conduct business in this state.
- (3) A credit services business shall post a separate bond for each location conducting business in this state and the bond shall state, on its face, the name and address of the credit services business location to which it applies.
- (4) Prior to the expiration of a bond, a new bond shall be filed with the Department. Each renewed bond shall be filed pursuant to the procedure as set out in Paragraph (5). Further, if a credit services business is required to file a new bond on behalf of a location for any reason, including a change of surety or change of ownership, such new bond shall be filed pursuant to the procedure as set out in Paragraph (5).
- (5) Each bond shall be accompanied by a filing fee of fifty dollars (\$50.00) and a registration form prescribed by the Commissioner containing:
 - (a) Name, address, and telephone number of the credit services business;
 - (b) Name, address, and telephone number of a primary contact person;
 - (c) If the business is a corporation, limited liability company, or other entity, proof that the entity is duly registered in the State of Tennessee;
 - (d) If the business is a sole-proprietorship or general partnership, the Social Security number of each proprietor or general partner; and

(Rule 0780-05-17-.02, continued)

- (e) Any such other information as the Commissioner may require.

Authority: T.C.A. § 47-18-1011. **Administrative History:** Original rule filed August 8, 2016; effective November 6, 2016.

0780-05-17-.03 CIVIL PENALTIES.

- (1) The Commissioner may, in addition to or in lieu of any other disciplinary action, assess civil penalties for each separate violation of statutes, rules or orders enforceable by the Commissioner in accordance with the following schedule:

Violation	Penalty
T.C.A. § 47-18-1003	\$0 - \$1,000
T.C.A. § 47-18-1004	\$0 - \$1,000
T.C.A. § 47-18-1005	\$0 - \$1,000
T.C.A. § 47-18-1006	\$0 - \$1,000
T.C.A. § 47-18-1007	\$0 - \$1,000
T.C.A. § 47-18-1010	\$0 - \$1,000
T.C.A. § 47-18-1011	\$0 - \$1,000
Tenn. Comp. R. & Regs. § 0780-05-17	\$0 - \$1,000

- (2) Each day of a continuing violation may constitute a separate violation.
- (3) In assessing civil penalties, the following factors may be considered:
- (a) Whether the amount imposed will be a substantial economic deterrent to the violator;
 - (b) The circumstances leading to the violation;
 - (c) The severity of the violation and the risk of harm to the public;
 - (d) The economic benefits gained by the violator as a result of noncompliance; and
 - (e) The interest of the public.

Authority: T.C.A. § 56-1-308. **Administrative History:** Original rule filed August 8, 2016; effective November 6, 2016.