

STATE OF CALIFORNIA –DEPARTMENT OF BUSINESS OVERSIGHT
BOND OF CHECK SELLER

DBO – CSCL 105 (Rev. 07-13)



Financial Code Section 12206(b)

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

That we _____, as Principal,
whose address for service is

_____,
(Street Address, City, State and ZIP Code)

and _____, a corporation, created, organized
and existing under and by virtue of the laws of the State of _____, and an admitted
Surety insurer authorized to transact a general surety business in the State of California, as
Surety, whose address for service is

_____,
(Street Address, City, State and ZIP Code)

are held and firmly bound unto the Commissioner of Business Oversight of the State of California, for the use thereof and for the use of any person or persons who may have a cause of action against the Principal under the provisions of the Check Sellers, Bill Payers and Proraters Law and all acts amendatory thereof and supplementary thereto now and hereafter enacted, in the total aggregate penal sum of _____ Dollars (\$_____) (see Financial Code Section 12206(b)), lawful money of the United States of America, to be paid to the Commissioner of Business Oversight of the State of California, or to any person or persons, for the use and benefit aforesaid, for which payment well and truly be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of the above obligation is such that--

WHEREAS, the above-named Principal has made application to the Commissioner of Business Oversight of the State of California for a license to engage in business under and pursuant to the provisions of the Check Sellers, Bill Payers and Proraters Law, and is required under the provisions of the Check Sellers, Bill Payers and Proraters Law, to furnish a bond in the sum above named, conditioned as herein set forth:

NOW, THEREFORE, the Principal and any and all agents and employees representing Principal shall faithfully conform to and abide by the provisions of the Check Sellers, Bill Payers and Proraters Law and all acts amendatory thereof and supplementary thereto now and hereafter

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enacted, and of all rules and regulations lawfully made by the Commissioner of Business Oversight of the State of California under the Check Sellers, Bill Payers and Proraters Law and shall honestly and faithfully apply all funds received and shall faithfully and honestly perform all obligations and undertakings under the Check Sellers, Bill Payers and Proraters Law, and shall pay to the Commissioner of Business Oversight of the State of California and to any person or persons, for the use and benefit aforesaid, any and all moneys which may become due or owing to the Commissioner of Business Oversight of the State of California or to any such person or persons from the Principal under and by virtue of the provisions of the Check Sellers, Bill Payers and Proraters Law.

This bond is subject to the following provisions:

1. That any person who sustains an injury covered by this bond may, in addition to any other remedy that he or she may have, bring an action in his or her own name upon this bond for the recovery of any damages sustained by him or her; provided, however, that no such action may be brought after the expiration of two years from and after the act or default complained of.
2. That the total aggregate liability of the Surety or Sureties herein shall be limited to the payment of _____ Dollars (\$_____) (insert amount of the bond).
3. This bond may be cancelled by the Surety in accordance with the provisions of Sections 996.320 and 996.330 of the Code of Civil Procedure of the State of California.
4. That, in the event either the Principal and/or the Surety under this bond are served with notice of any action commenced against the Principal or the Surety under the bond, the Principal and Surety as each is served with notice of action shall respectively and immediately give written notice of the filing of such action to the Commissioner of Business Oversight of the State of California, at the Los Angeles office of the Department of Business Oversight.
5. That, in the event the Surety under this bond makes full or partial payment on this bond said Surety shall immediately give written notice of such full or partial payment to the Commissioner of Business Oversight of the State of California, at the Los Angeles office of the Department of Business Oversight.
6. That the effective date of this bond shall be _____.

Signature of Principal

Typed or Printed Name of Principal

BOND OF CHECK SELLER

Executed at (City and State)

I certify (or declare) under penalty of perjury that I have executed the foregoing bond under an unrevoked power of Attorney.

Executed in _____ on _____
(City and State) (Date)

under the laws of the State of California.

Signature of Attorney-in-Fact
for Surety

Printed or typed name of
Attorney-in-Fact for Surety

ALL OF THE ABOVE SIGNATURES MUST BE NOTARIZED

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INSTRUCTIONS FOR FILING OF SURETY BOND

This form contains the approved format for the Surety Bond as required by Financial Code Section 12206(b). Every company is required to obtain and maintain a surety bond.

The original surety bond must be filed and must include all of the following:

1. The signature of the attorney-in-fact for the surety company.
2. A notarial jurat for the attorney-in-fact.
3. A power of attorney from the surety company.
4. Legal name of the licensee. Business name(s), if applicable, may also be included.
5. The signature of the licensee.
6. The notarial jurat for the signature of the licensee.

ALL-PURPOSE ACKNOWLEDGMENT

State of _____

County of _____

On _____ before me, _____, Notary Public

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- INDIVIDUAL
- CORPORATE OFFICER
TITLE(s) _____

Bond of Check Seller

Title or Type of Document

- PARTNER(S)
- MEMBER of LLC
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR

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Number of Pages

OTHER: _____

Date of Document

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

Signer(s) other than named above

