



STATE OF LOUISIANA

OFFICE OF FINANCIAL INSTITUTIONS

BATON ROUGE, LOUISIANA



John Bel Edwards
Governor

Stanley M. Dameron
Commissioner

September 13, 2021

**Commissioner of Financial Institutions
Declared Emergency Advisory
Tropical Storm Nicholas
For
Pawnbrokers**

Governor Edwards' Proclamation No. 173 JBE 2021 dated September 12, 2021, declared a State of Emergency for Invest **Tropical Storm Nicholas** through **October 11, 2021**, unless terminated sooner. Pursuant to my authority under LSA R.S. 6:121.6 (A) and, as a result of the serious threat and concerns presented by **Tropical Storm Nicholas** in multiple parishes in the State of Louisiana, which may threaten the lives and property of the residents and businesses located in such areas, I hereby deem these conditions to create an emergency relative to non-depository entities in general in the affected area, and as to their employees, and their customers, and therefore issue the following Emergency Declaration:

Affected Areas/Parishes

As a result of this finding, I hereby issue this emergency declaration relative to non-depository entities operating in any parish of the State, as designated by the Governor's Proclamation, which is in an "affected area", and hereby grant licensees in the affected area temporary authority to close licensed locations located therein or to close and/or relocate some or all of the operations, services, and products of a closed location to another location or locations within the state.

General Guidelines

Any licensee whose business is materially affected or interrupted by the recent storm should contact this Office as soon as possible with information regarding your relocation, either permanent or temporary.

In order to assist you and your company, please provide contact information that this office can relay to your customers who may inquire with this office during this time-frame of business interruption.

You may contact OFI via toll free telephone: 1-888-525-9414 or Fax: 225-922-2860 or email: (ofiland@ofi.la.gov or ofilicensing@ofi.la.gov)

In order to avoid inadvertent payments of otherwise required fees, you should submit the temporary changes as instructed in the advisory and **not** utilize the Nationwide Mortgage Licensing System for submitting location changes and temporary relocations that are **only** a direct result of the declared emergency.

Permanent Location Changes

The 30-day required prior written notice of a change of location is hereby waived for locations in the affected areas. The change of location fee will be considered for waivers on a case-by-case basis for locations in the affected areas for entities materially affected or interrupted by this emergency situation, provided, the following information is submitted to the Office of Financial Institutions in writing by email (ofiland@ofi.la.gov or ofilicensing@ofi.la.gov), U.S. mail, facsimile, courier or hand delivery as soon as practicable. **Do not submit this information to the Nationwide Mortgage Licensing System** until you are notified by our licensing section to do so

1. Name/physical address of the closed location
2. Name/physical address/telephone number/other contact information of the new location
3. Name/contact information of person at the new location
4. Such other information as the Commissioner may request

Temporary Relocation

If a licensed entity changes location temporarily (90 days or less) and is in the affected area, steps 1-4 listed above are necessary. The change of location fee will also be considered for waivers on a case-by-case basis. In addition, when returning back to the original location, the licensee must inform the Office of Financial Institutions on or before the date of return.

Closure

The 30-day notice requirement for closure of a location is hereby waived. Licensed entities with destroyed or damaged locations may request a suspension of their license for up to 90 days, provided renewal fees are paid and a request to suspend the license is submitted prior to expiration of this order. The license will be held in abeyance until such time the location is opened or relocated or the licensee's renewal deadline occurs, whichever is earlier.

Pawnbroker Notices

1. The pawnbroker must post a notice of the new location's address at the previous location, if possible.
2. If closing permanently, a notice with owner contact information should be posted at the previous location for benefit of the pledgers if possible.
3. The requirement that the pawnbroker provide all persons who have things in pledge a written notice or publish the location change in a local newspaper of the new location remains in effect.

Net Asset Requirement

Pawnbrokers with locations that were severely damaged, destroyed or looted may apply for a waiver of the \$50,000 net asset requirement. The application for a waiver must include the following:

1. Evidence of damage, destruction, or looting, for example photograph's or insurance claims.
2. Most recent financial statement available, including balance sheet and income statement.
3. A list of those assets shown on the financial statements which were destroyed, damaged, or stolen.
4. A written business plan which shows the pawnbroker's cost for pawned items which must be replaced or for which pledgor must be paid at redemption; how you will meet the \$50,000 net asset requirement and within what time frame.
5. Such other information as the Commissioner may request.

Nationwide Mortgage Licensing System

If a licensee is not materially affected or interrupted by the storm emergency, the licensee should continue to utilize the Nationwide Mortgage Licensing System for all filings.

Recordkeeping

Pawnbrokers in the affected area whose records were destroyed should make every effort to reconstruct said records. Documentation should be maintained as to which records were destroyed and what efforts were made to reconstruct and preserve them.

Expiration/Waivers

This Emergency Declaration shall remain in effect as long as Emergency Provisions related to **Tropical Storm Nicholas** are renewed and extended, as declared by Governor Edwards of the State of Louisiana, or rescinded or replaced by me.

Declared and issued this 13th day of September, 2021.

Stanley M. Dameron
Commissioner
Office of Financial Institutions