City of Gresham
Administered by City of Portland
Regulatory, Payday Lender Program
PO Box 8572
Portland, OR 97201
Office: (503) 823-5157
Web: www.portlandonline.com/revenue

Permit #

PAYDAY LENDER PERMIT APPLICATION/RENEWAL

(Fill out completely & type or print legibly)

Application Date:

Business Name			
DBA (assumed business name)			
Entity type	☐ Sole Prop ☐ Corporation ☐ S-Corp ☐ Partnership		
Owner's Name(s)			
City Business License # Expiration Date		Taxpayer ID# (SS# or EIN)	
Business Location	Address		
	City	State	Zipcode
Mailing Address	Address		
	City	State	Zipcode

ATTACHMENTS REQUIRED

☐ Lender fee schedule

☐ Borrowers right to cancel payday loan documentation (see requirements)

☐ Borrowers right to convert to payment plan documentation (see requirements)

☐ Non-renewal disclosure documentation (see requirements)

☐ Borrowers right to file a complaint documentation (see requirements)

List the name and title of the person authorized to act on behalf of the above business

Contact Name/Title		Telephone	
Email Address		Fax #	

This is an application to secure a regulatory permit to operate a payday lending business per Gresham Revised Code Chapter 9. The payment of a permit fee and the acceptance of such fee and issuance of a permit by the City does not entitle a permittee to carry on a business not in compliance with all applicable requirements of state, federal, municipal, or other law. The undersigned declares under penalty of making false certificate that the information given in this application is true.

Signature_____ Title_____ Date_____

PAYDAY LENDER PERMIT APPLICATION INSTRUCTIONS

Oregon State Statute Chapter 725.600 requires Payday Lenders to obtain a state issued license prior to conducting business to provide certain consumer loans. City of Gresham Revised Code Chapter 9.90 (adopted 3/21/06) regulates the Payday Lender industry and requires each lender location to apply for and receive a permit. The annual permit fee for each payday lender location is $1,500.00 payable at the time of application.

Any payday lender not in compliance with GRC 9.90 will be subject to civil penalties up to $1,500.00 per occurrence.

To apply for an initial permit:

The City of Portland, Oregon and the City of Gresham have signed an agreement for the City of Portland to administer Gresham's Payday Lender program. All applications, renewals and payments are to be mailed to the City of Portland at the address listed below.

Complete a Payday Lender Application form for each location in the City of Gresham and submit it with the $1,500.00 permit fee per location. All information on the application form is required and a copy of the payday lender fee schedule and other documents as listed must be submitted with the application. A *current* City of Gresham Business License is also required.

Submit completed application, supporting documentation, and fee prior to current expiration to:

City of Portland, Revenue Bureau
Regulatory Section, Payday Lender Program
PO Box 8572
Portland, OR 97207-8572

Payment may be made by Check, Money Order, or Cash. Credit Cards are not accepted at this time. Make checks payable to CITY OF PORTLAND.

To renew (annually) an existing permit:

Complete a Payday Lender Renewal form for each location in the City of Gresham and submit it with the $1,500.00 permit fee per location. All information on the renewal form is required and a copy of the payday lender fee schedule and other documents as listed must be submitted with the renewal form. A current City of Gresham Business License is also required.

Renewal forms are due annually.

PERMIT REQUIREMENT SUMMARY

Payday Lenders are required by City Code Chapter 9.90 to obtain a permit for each location.

Payday lenders are required to:

1. Obtain a permit annually.
2. Submit a fee schedule with each application and annual renewal form.
3. Make available for inspection, review and/or copy records of any payday lender for purposes of auditing or complaint resolution. Such records shall be made available during normal business hours within 24 hours of written notice.
4. Disclose to the borrower the non-renewal clause in item 5 below in writing in a minimum of 12 point font.
5. Not renew a payday loan unless the borrower has paid an equal amount of at least twenty-five (25%) of the principal of the original payday loan, plus interest on the remaining balance of the payday loan.
6. Disclose to the borrower the cancellation policy in item 7 below in writing in a minimum of 12 point font.
7. Allow a borrower to cancel a payday loan by the close of business day the following the day on which the payday loan was originated if the borrower.
8. Disclose to the borrower the payment plan policy in item 9 below in writing in a minimum of 12 point font.
9. Allow a borrower to convert a payday loan to a payment plan after the maximum amount of renewals by state law.
10. Investigate all complaints and report resolution to the Bureau within two (2) business days of receipt of the complaint from the Bureau.

PAYDAY LOAN REGULATIONS

PAYMENT OF PRINCIPAL PRIOR TO PAYDAY LOAN RENEWAL

A Payday Lender may not renew a payday loan unless the Borrower has paid an equal amount to at least twenty-five percent (25%) of the principal of the original payday loan, plus interest on the remaining balance of the payday loan. The payday lender shall disclose this requirement to the Borrower in a minimum of bold 12-point type.

CANCELLATION OF PAYDAY LOAN

A. A Payday Lender shall cancel a payday loan without charge to the borrower if prior to the close of business day following the day on which the payday loan originated, the borrower:

   1. Informs the payday lender in writing that the borrower wishes to cancel the payday loan and future payment obligations; and

   2. returns to the payday lender the uncashed check or proceeds given to the borrower by the payday lender or cash in an amount equal to the principal amount of the payday loan.

B. A payday lender shall disclose to each borrower that the right to cancel a payday loan as described in this section is available to the borrower. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12-point type.

PAYMENT PLAN FOR A PAYDAY LOAN

A. A Payday Lender and a borrower may agree to a payment plan for a payday loan at any time.

B. A payday lender shall disclose to each borrower that a payment plan described in this section is available to the borrower after the maximum amount of renewals allowed by state law. The payday lender shall disclose this requirement to the borrower in a minimum of bold 12-point type.

C. After a payday loan has been renewed to the maximum amount allowed by state law, and prior to default on the payday loan, a payday lender shall allow a borrower to convert the borrower's payday loan into a payment plan. Each payment plan shall be in writing and acknowledged by both the payday lender and the borrower.

D. The payday lender shall not assess any fee, interest charge or other charge to the borrower as a result of converting the payday loan into a payment plan.

E. The payment plan shall provide for the payment of the total of payments due on the payday loan over a period of no fewer than 60 days in three or more payments. The borrower may pay the total of payments due on the payment plan at any time. The payday lender may not assess any penalty, fee or other charge tot he borrower for early payment on the payment plan.

F. A payday lender's violation of the terms of the payment plan entered into with the borrower under this section constitutes a violation of this chapter. If a payday lender enters into a payment plan with a borrower through a third party that is representing the borrower, the payday lender's failure to comply with the terms of the that payment p0lan constitutes a violation of this chapter.

REMEDIES

A. Failure to comply with any part of this Chapter or the administrative rules may be punishable by civil penalties. The Director may impose a civil penalty of up to $1,500.00 for a substantial violation of this chapter or the administrative rules. A substantial violation is a violation having an impact on the public that informal compliance methods fail to resolve. Each substantial violation may be assessed a separate civil penalty.

B. Civil penalties shall be payable to the City of Portland

C. Civil remedies. Nothing in this section is intended to prevent any person from pursuing any available legal remedies.

D. No civil penalties shall be assessed within 60 days of the effective date of this ordinance.

APPEALS

Any person upon whom a civil penalty has been imposed, or who has been directed by the Director to resolve a complaint, may appeal the decision. Appeals will be handled per procedures under Gresham Revised Code Section 1.05.025.

COMPLAINTS

The director shall have the authority to investigate any and all complaints alleging violation of this chapter or administrative rules.

A. The director may receive complaints from borrowers by telephone or in writing. Within a reasonable time, the Director shall forward the complaint by telephone or in writing to the payday lender it concerns for investigation.

B. The payday lender shall investigate the allegations of the complaint and report the results of the investigation and the proposed resolution of the complaint to the Director by telephone or in writing within two (2) business days from initial contact by the director.

C. If the proposed resolution is satisfactory, the payday lender shall proceed to resolve the complaint directly with the borrower according to the resolution proposed to the director.

D. If the proposed resolution is not satisfactory to the director, the director shall conduct an independent investigation of the alleged complaint and propose an alternative resolution of the complaint. If the payday lender accepts the proposed alternative resolution and offers it to the borrower, the complaint shall be final. If the payday lender refuses to accept and implement the proposed alternative resolution it shall be subject to remedies as provided by GRC 9.90.080. In the event of imposition of remedies, the payday lender may appeal as provided by GRC 9.90.090.