

**RULES
OF
TENNESSEE COLLECTION SERVICES BOARD**

**CHAPTER 0320-01
LICENSING**

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0320-01-.01 QUALIFICATIONS OF APPLICANTS.

- (1) Upon receipt of a completed application for a license as a collection service, the Collection Service Board (or its designees) shall commence an investigation to determine the applicant's fitness to engage in the collection service business. Such investigation shall include, but not be limited to:
 - (a) Verification of the applicant's financial statement;
 - (b) Evaluation of the applicant's financial responsibility with verification through a credit bureau report;
 - (c) Assessment of the applicant's business background and experience; and
 - (d) Contact with character references.
- (2) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - (a) Be issued a license under this chapter upon application and payment of all fees required for issuance of a regular license of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
 1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at that time.
 2. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full license.
 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for

(Rule 0320-01-.01, continued)

substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.

4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full license of the same type.
- (3) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such license.
 - (4) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
 - (a) Payment of late fees or other penalties;
 - (b) Obtaining continuing education credits when:
 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or;
 - (c) Performing any other similar act typically required for the renewal of a license or certification.
 - (5) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (4) for six (6) months from the person's release from active duty.
 - (6) Any person renewing under paragraph (4) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any license pursuant to that paragraph.

Authority: T.C.A. §§ 62-20-104 (g), 62-20-107, 62-20-108, 4-3-1304, and 4-5-217. **Administrative History:** (For history prior to March, 1986, see page 16.) New rule filed February 21, 1986; effective March 23, 1986. Amendment filed January 23, 1990; effective March 9, 1990. Amendment filed August 11, 2015; effective November 9, 2015.

0320-01-.02 EXAMINATIONS.

Authority: T.C.A. §§ 62-20-104, 62-20-104(g), 62-20-108, 4-3-1304, and 4-5-217. **Administrative History:** (For history prior to March, 1986, see page 16) New rule filed February 21, 1986; effective March 28, 1986. Amendment filed January 23, 1990; effective March 9, 1990. Emergency rule filed September 23, 2011; effective through March 21, 2012. Emergency file filed September 23, 2011 expired effective March 22, 2012; rule reverted to its previous status. Amendment filed March 22, 2012; effective June 20, 2012. Amendment filed August 11, 2015; effective November 9, 2015.

0320-01-.03 FEES.

- (1) An application for a collection license as a collection service shall be accompanied by a non-refundable fee of one hundred fifty dollars (\$150.00).
- (2) The Board shall grant a collection service license to qualified applicants upon receipt of six hundreds dollars (\$600.00), which shall not be prorated for any portion of a year.
- (3) Solicitor's identification cards shall be obtainable by written application of the licensee, accompanied by an annual fee of twenty-five dollars (\$25.00) each.
- (4) Application for renewal of a collection service license shall be accompanied by a fee of three hundred and fifty dollars (\$350.00).
- (5) The fee for each branch office located in this state shall be one hundred (\$100.00).
- (6) The renewal fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- (7) All licensees shall be subject to late renewal for a period of sixty (60) days following their expiration date by payment of the prescribed fee plus a penalty of one hundred dollars (\$100.00).

Authority: T.C.A. §§ 62-20-104, 62-20-106, 62-20-108, 62-20-109, 62-20-111, and 62-20-112; Public Acts of 1989, Chapter 523 §§ 166 through 173 and Public Acts of 1990, Chapter 1026, § 10.

Administrative History: Original rule filed July 14, 1989; effective August 28, 1989. Amendment filed November 9, 1990; effective December 24, 1990. Emergency rule filed September 23, 2011; effective through March 21, 2012. Emergency rule filed September 23, 2011 expired effective March 22, 2012; rule reverted to its previous status. Amendment filed March 22, 2012; effective June 20, 2012. Amendment filed August 11, 2015; effective November 9, 2015.

0320-01-.04 CHANGE OF OWNERSHIP.

As referenced in T.C.A. §§ 62-20-108 and 62-20-113, "change in ownership" means:

- (1) In a sole proprietorship or partnership, any change in the person(s) having an ownership interest in the collection service business;
- (2) In a corporation or limited liability company (LLC), an aggregate change of fifty (50) percent or more of the shares, ownership or other member interest, respectively.

Authority: T.C.A. §§ 62-20-104(g), 62-20-108, and 62-20-113. **Administrative History:** New rule filed October 26, 2016; effective January 24, 2017.