

## **FINGERPRINT INSTRUCTIONS – FLEXIBLE CREDIT APPLICANTS**

Flexible credit *applicants* must undergo a fingerprint criminal background check conducted through the Tennessee Bureau of Investigation (TBI), and the Federal Bureau of Investigation (FBI).

### **The following Control Persons must be fingerprinted:**

**Managing Principal** ~ the individual identified as the 'Qualifying Individual' on the MU1 form of the NMLS application. The individual is in charge of and responsible for the company actions.

**Managing Member(s)** if an LLC

**Executive Officers** ~ including but not limited to the CEO, COO, CFO, President, Vice President(s), Secretary and Treasurer

**General Partners** ~ including general and limited partners

**Equitable 10% or more Owners** ~ individuals owning directly or indirectly with participation rights, a 10% or more interest in the company (including all individuals listed on Schedule A of the NMLS Application with a 10% or more ownership)

**NOTE:** The Department reserves the right to require fingerprints from any other individual (not covered above) who directs the affairs of the company or establishes policy.

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**Fingerprints must be submitted through MorphoTrust USA using one of the two following options:**

### **OPTION 1** – **ELECTRONIC FINGERPRINT SCAN** *(only available in Tennessee)*

#### 1. Registration

- Register online at [www.identogo.com](http://www.identogo.com) or call 1.855.226.2937
- Click on the state of TN
- Click Online Scheduling
- Choose English or Spanish
- Enter your First Name
- Enter your Last Name
- When prompted for 'Agency Name' choose **OTHER**
- When prompted for 'Applicant Type' choose **DFI ORI TN920807Z**
- You will be required to make an appointment for fingerprinting
- Complete the registration process
- Make sure your social security number is correctly entered

- NOTE: Any registration errors must be corrected by re-registration online or by phone prior to fingerprinting. NO ERRORS CAN BE CORRECTED ONCE THE FINGERPRINTS ARE TAKEN.
- 2. Fees
  - The processing fee for an electronic scan is \$32.65.
- 3. Payment
  - Credit or debit card payments can be submitted online in the registration process either on the website or with the call center.
  - At the fingerprint site you can only pay by Money Order or Cashier Check made payable to MorphoTrust USA. Cash and Personal Checks are not accepted.
- 4. Fingerprinting
  - Go to your appointed fingerprinting site on the scheduled day and time
  - Upon arrival, you must provide a State or Federal Government Issued Identification. You must also provide the payment you indicated.
  - Fingerprints are electronically forwarded to the TBI and the FBI.
  - Fingerprint results are provided ONLY to the Tennessee Department of Financial Institutions.

**OPTION 2 – FINGERPRINT CARD SCAN (*only option for out of state*)**

1. Obtain Fingerprint Card (1 per applicant)
  - You MUST use the blue-lined FBI fingerprint card provided by the Tennessee Department of Financial Institutions.
  - To request cards send an email to [ask.licensing@tn.gov](mailto:ask.licensing@tn.gov) or call 615.741.2236.
  - Once you receive the fingerprint card, complete ALL blocks of the card in black ink.
2. Fingerprinting
  - Take the blue-lined fingerprint card to a local law enforcement agency to be fingerprinted. (Local fingerprint fees may also apply)
  - Upon arrival you must provide a State or Federal Government Issued Identification.
  - Fingerprints are electronically forwarded to the TBI and the FBI.
  - Fingerprint results are provided ONLY to the Tennessee Department of Financial Institutions.
3. Fees
  - The processing fee for a fingerprint card background check is \$32.65. (local law enforcement fingerprinting fees may also apply)
  - Payment may be made with debit or credit card online during registration; or
  - Payment may be made by Money Order or Cashier Check made payable to MorphoTrust USA. (Cash and Personal Checks are not accepted.)
4. Registration & Submission of Fingerprint Card
  - Register online at [www.identogo.com](http://www.identogo.com) or call 1.855.226.2937
  - Click on the state of TN

- Click **Online Scheduling**
- Choose English or Spanish
- Enter your First Name
- Enter your Last Name
- When prompted for 'Agency Name' choose **OTHER**
- When prompted for 'Applicant Type' choose **DFI ORI TN920807Z**
- Choose **Pay for Ink Card Submission** (this will identify to MorphoTrust that a hard card will be mailed in for conversion to an electronic fingerprint record)
- Complete the registration process

**At the completion of registration you will be given a Registration ID. Write this number on the back of the fingerprint card and submit it directly to the address below.**

**MAIL THE COMPLETED CARD (and money order or cashier check if applicable) TO:**

IDENTOGO

Cardscan Department

6840 Carothers Parkway, Suite 650

Franklin, TN 37067-9929

**THE ONLY FINGERPRINT CARDS THAT WILL BE ACCEPTED ARE THE ONES PROVIDED BY THE TN DEPARTMENT OF FINANCIAL INSTITUTIONS (ONE CARD PER PERSON)**

The information you provide on the top half must be typed or filled out in black ink (ONLY). The top half **MUST** be filled out completely according to the instructions listed below. Please include a Money Order or Cashier Check payable to MorphoTrust USA in the amount of \$32.65 per person.

1. Full Last Name, Full First Name, Full Middle Name (no initials)
2. Your Signature
3. Your Complete Residence Address
4. Your Complete Employer Name & Address
5. Your Citizenship
6. Your Armed Forces I.D. Number (if applicable)
7. Your Social Security Number
8. Your Sex, Race, Height, Weight, Eye Color & Hair Color
9. Your Date of Birth (ex. 10/11/1950)
10. Your Complete Place of Birth (ex. Nashville, TN)
11. Date & Signature of Official Taking the Fingerprints

### **AGENCY PRIVACY REQUIREMENTS FOR NONCRIMINAL JUSTICE APPLICANTS**

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must provide to the applicant written notification<sup>1</sup> that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials must ensure that an applicant receives, and acknowledges receipt of, an adequate Privacy Act Statement when the applicant submits his/her fingerprints and associated personal information.<sup>2</sup>
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the employment, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34.
- Officials should not deny the employment, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.<sup>3</sup>

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

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<sup>1</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>2</sup> See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

<sup>3</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).

NOTE: The following document **“Noncriminal Justice Applicant’s Privacy Rights”** must be signed by each individual submitting fingerprints and returned to the Tennessee Department of Financial Institutions by email to [askmortgage.licensing@tn.gov](mailto:askmortgage.licensing@tn.gov) or mailed to the address below:

Tennessee Department of Financial Institutions  
Compliance Division  
312 Rosa L. Parks Avenue, 26<sup>th</sup> Floor  
Nashville, TN 37243

## **NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS**

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification<sup>1</sup> that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.<sup>2</sup>
- If you have a criminal history record, the officials making a determination of your suitability for the employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.<sup>3</sup>

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.<sup>4</sup>

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

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<sup>1</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>2</sup> <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

<sup>3</sup> See 28 CFR 50.12(b).

<sup>4</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

I hereby certify that I have received a copy of this Privacy Rights Statement.

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Printed Name

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Signature

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Date