



STATE OF LOUISIANA  
OFFICE OF FINANCIAL INSTITUTIONS  
BATON ROUGE, LOUISIANA



**John Bel Edwards**  
Governor

**John Ducrest, CPA**  
Commissioner  
ED-ND-03-16

**August 15, 2016**

**Commissioner of Financial Institutions  
Declared Emergency Advisory  
Flooding 2016  
For  
Pawnbrokers**

Governor Edwards' Proclamation No. 111 JBE 2016 dated August 12, 2016, declared a State of Emergency for Heavy Rain and Flooding through September 10, 2016, unless terminated sooner. Pursuant to the powers vested in me by the provisions of R.S. 6:121.6 to carry out the duties of this office, and, as a result of the serious and continuing concerns in several parishes in the state which have experienced significant flooding that 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:

**Affected Areas/Parishes**

As a result of this finding, I hereby issue this emergency declaration relative to non-depository entities in the following parishes: Acadia, Ascension, Assumption, Beauregard, Cameron, Calcasieu, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Charles, St. Helena, St. James, St. Landry, St. Martin, St. Tammany, Tangipahoa, Vernon, Vermillion, Washington, West Baton Rouge, West Feliciana, plus any additional parishes designated subsequently by the Governor ("affected areas").

**General Guidelines**

Any licensee whose business is materially affected or interrupted by the recent flooding 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](mailto:ofiland@ofi.la.gov) or [ofilicensing@ofi.la.gov](mailto: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 flood 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](mailto:ofiland@ofi.la.gov) or [ofilicensing@ofi.la.gov](mailto: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.

### **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 declaration shall expire 30 days from date of issuance, unless renewed by further declaration of the Commissioner. Compliance with all directives herein is required unless otherwise waived by the Commissioner.

Declared and issued this 15th day of August 2016.



John Ducrest, CPA  
Commissioner  
Office of Financial Institutions