

*******BACKGROUND CHECK INSTRUCTION FORM*******

AS OF OCTOBER 1, 2018, THE DIVISION OF CONSUMER PROTECTION UTILIZES THE WIN DATABASE RAP BACK SYSTEM FOR BACKGROUND CHECKS. PLEASE CONSULT THE UTAH CONSENT TO BACKGROUND CHECK WAIVER AND UTAH CODE § 53-10-108 FOR FURTHER INFORMATION.

IF AN INDIVIDUAL SUBJECT TO A BACKGROUND CHECK CEASES TO BE ASSOCIATED WITH A REGISTRANT, THE REGISTRANT IS RESPONSIBLE FOR SUBMITTING A REQUEST TO TERMINATE RAP BACK FORM TO THE DIVISION OF CONSUMER PROTECTION. THE INDIVIDUAL SUBJECT TO THE BACKGROUND CHECK MAY ALSO SUBMIT A REQUEST TO TERMINATE RAP BACK FORM.

**THE UTAH CONSENT TO BACKGROUND CHECK WAIVER AND THE REQUEST TO TERMINATE RAP BACK FORM MAY BE FOUND ON THE DIVISION OF CONSUMER PROTECTION'S WEBSITE:
www.dcp.utah.gov/registrations/index.html**

PLEASE SUBMIT EACH COMPLETED FINGERPRINT CARD WITH THE \$20.00 (NON-REFUNDABLE) FEE AND A SIGNED UTAH CONSENT TO BACKGROUND CHECK WAIVER. A FAILURE TO SUBMIT ALL OF THESE ITEMS FOR EACH INDIVIDUAL SUBJECT TO A BACKGROUND CHECK MAY RESULT IN THE DENIAL OF OR A DELAY IN PROCESSING AN APPLICATION.

INSTRUCTIONS FOR FINGERPRINT CARDS:

- 1. CONTACT YOUR LOCAL POLICE DEPARTMENT.**
- 2. REQUEST TO BE FINGERPRINTED (THE POLICE DEPARTMENT MAY CHARGE A FEE FOR FINGERPRINTING SERVICES.)**
- 3. INCLUDE THE COMPLETED FINGERPRINT CARD WITH THIS APPLICATION, ALONG WITH THE FEE AND A SIGNED UTAH CONSENT TO BACKGROUND CHECK WAIVER.**



State of Utah

DEPARTMENT OF COMMERCE
DIVISION OF CONSUMER PROTECTION

IMMIGRATION CONSULTANT REGISTRATION FORM

Initial Registration Fee: \$200.00 (Non-refundable)
Background Check Fee: \$20.00 (Non-refundable)
TOTAL FEES: \$220.00

Renewal Registration Fee: \$200.00 (non-refundable) TOTAL FEE: \$200.00

Immigration Consultant's Name

Corporation or Partnership Name (if any)

OFFICE USE ONLY

Date Issued: _____

Permit Number: _____

Approved: _____

Expiration: _____

Receipt #: _____

Denied: _____

Please indicate whether if this is an initial registration or a renewal registration:

Initial Registration

Renewal Registration

Important notice regarding business confidentiality claims pursuant to the Government Records Access and Management Act: If you wish to make a claim of business confidentiality with respect to any information in this application or with respect to records you provide to the Division, please be aware of the following law: "Any person who provides to a governmental entity a record that the person believes should be protected under 63G-2-305(1) [trade secrets] or (2) [commercial information or nonindividual financial information] or both Subsections 63G-2-305(1) and (2) shall provide with the record: (A) a written claim of business confidentiality; and (B) a concise statement of reasons supporting the claim of business confidentiality."

If you have any questions, please contact the Division at 801-530-6601.

Please make payment of the registration fee and background check fee via check or money order payable to the "**Utah Division of Consumer Protection.**"

Please return the completed Registration form and payment to:

Department of Commerce
Division of Consumer Protection
160 East 300 South
P.O. Box 146704
Salt Lake City, Utah 84114-6704

INSTRUCTIONS FOR COMPLETING THE IMMIGRATION CONSULTANT REGISTRATION

For easier completion, this form is available on the Division of Consumer Protection's website <http://dcp.utah.gov> and can be viewed, filled in and printed from your computer. The completed form can be mailed to the Utah Division of Consumer Protection, 160 E. 300 S., PO Box 146704, Salt Lake City, UT 84114-6704. If you are not completing this form online, please type or legibly print in black or blue ink. This form shall not be altered.

Subject to the *Immigration Consultants Registration Act*, Utah Code §13-49-101 et seq., an immigration consultant is required to file a registration with the Utah Division of Consumer Protection prior to engaging in the business of or acting in the capacity of an immigration consultant, to provide a cash bond or surety bond for \$50,000, to submit to a criminal background check, and pay a fee of \$220.00 to the Utah Division of Consumer Protection. An immigration consultant shall notify the Division in writing within 30 days of any changes in the registration such as changes of name, address, telephone number, or agent for service of process, and when the surety bond is renewed. Failure to renew the bond and send notification to the Division of the renewal shall result in an automatic revocation of the immigration consultant's permit.

It is required to submit the following items to the Division:

- The registration form (see page 4).
- Check for \$220.00 written to the "Utah Division of Consumer Protection."
- A copy of your disclosures (Exhibit A), notices (Exhibit B), and contract (Exhibit C). Please use the checklist on page 3 for guidance.
- Copy of valid and current photo identification. Acceptable forms of photo identification are:
 - A state issued identification card or driver's license.
 - A passport issued by the Department of State of the United States.
 - An identification card issued by any branch of the armed forces of the United States.
- A cash bond OR the original surety bond document for \$50,000 (including power of attorney).
- A completed fingerprint card for the background check (see next paragraph).

To complete the criminal background check, please go to your local police department or the Bureau of Criminal Investigation (BCI) located at 3888 West 5400 South, Taylorsville, UT 84118 and request to be fingerprinted. You are responsible to pay for any fees associated with obtaining the fingerprint card. You must submit the completed fingerprint card with your registration.

Complete the Immigration Consultant Registration Form as follows:

Lines 1-7. Enter the name, alias (other names used, if any), birth date (month, day, and year), social security number, residence and business addresses, residence and business telephone numbers (including area code), email, and website address of the immigration consultant.

Item 8. Check "Yes" or "No" if the immigration consultant has ever been convicted of a felony. Check "Yes" or "No" if the immigration consultant has ever been convicted of any class misdemeanor in the last 10 years involving theft, fraud, or dishonesty.

Item 9. Indicate if you would prefer the Division mail paperwork to your residential address or business address. The Division will mail any paperwork to your business if you fail to pick a box.

Item 10. Read the disclosure statement. Type or print the name of the immigration consultant signing the form and enter the date the form was signed.

DOCUMENTS TO ATTACH TO THE REGISTRATION:

Submit a copy of the notice to be displayed, the disclosure, and the contract that the immigration consultant will use with clients. Before you submit your registration, **highlight the required information and number the item on Exhibit A-C submitted to the Division.** Applicants submitting exhibits without the required information highlighted and numbered may result in an incomplete letter.

Notice to be displayed: An immigration consultant shall conspicuously display in the immigration consultant’s office a notice that shall be least 12 by 20 inches with bold face type or print with each character at least one inch in height and width in English and in the native language of the immigration consultant’s clientele that contains the following information.

EXHIBIT A

- 1. Full name and address.
- 2. Bond information and bond number.
- 3. Statement that the immigration consultant is not an attorney.
- 4. Name of each immigration consultant employed at each location.

Written disclosure provided to the client: Before providing any services, an immigration consultant shall provide a client with a written disclosure in English and the native language of the client that includes the following:

EXHIBIT B

- 1. Immigration consultant’s name, address, and telephone number.
- 2. The name of the person that accepts service of process.
- 3. Bond information and bond number.
- 4. List of services provided, current, and total fee for each service.
- 5. Statement that the immigration consultant shall obtain the signature of the client verifying that the client received the written disclosure in their native language before a service is provided.

Contract:

EXHIBIT C

- 1. State the purpose of which the immigration consultant has been hired.
- 2. State the one or more services to be performed.
- 3. State the price for each service to be performed.
- 4. Include a statement printed in 10-point boldface type that the immigration consultant is not an attorney and may not perform the legal services that an attorney performs.
- 5. With regard to a document to be prepared by the immigration consultant:
 - A. List the type of document to be prepared.
 - B. Explain the purpose of the document.
 - C. Explain the process to be followed in preparing of the document.
 - D. Explain the action to be taken by the immigration consultant.
 - E. State the agency or office where each document will be filed.
 - F. State the approximate processing times according to current published agency guidelines.
- 6. Include a provision stating that the person may report complaints relating to an immigration consultant to the Division of Consumer Protection, including a toll-free number 1-800-721-7233 and internet website: www.dcp.utah.gov.
- 7. Include a provision stating that complaints concerning the unauthorized practice of law may be reported to the Utah State Bar, including telephone number 801-531-9077 and internet website: www.utahbar.org.
- 8. Include a provision stating in bold on the first page of written contract in both English and in the client’s native language, “You may cancel this contract on or before midnight of the third business day after execution of the written contract.” Not including weekends and state and federal holidays.

REGISTRATION FORM

Please complete all portions of this form:

1. **Registrant's Full Name:** _____

2. **Alias (if any):** _____

3. **Date of Birth:** _____
Date of Birth (MM/DD/YYYY)

4. **Social Security Number:** _____
Social Security Number

5. **Residential Address:** _____
Street

City State Zip Code

6. **Business Address:** _____
(Physical Location) Street

City State Zip Code

7. **Contact Information** Residential Phone Number Business Phone Number

Email Address Website Address (if any)

8. **Convictions** Have you ever been convicted of a felony? NO YES

In the last 10 years, have you ever been convicted of
a misdemeanor involving theft, fraud or dishonesty? NO YES

9. **I prefer that all mail from the Division be mailed to my (pick one):** Residential address
 Business Address

10. *By signing below, I declare that the information in this registration form is true, correct, and complete.*

Signature: _____ **Date:** _____

Printed Name: _____

Rev. 10/2018

EXHIBIT A

(Notice to be displayed)

EXHIBIT B

(Written disclosure to be provided to the client)

EXHIBIT C

(Contract)