



Department of Consumer and Business Services
Division of Financial Regulation
P.O. Box 14480, Salem, OR 97309-0405
Phone: 503-947-7982, Fax: 503-378-4351
350 Winter St. NE, third floor, Salem, Oregon 97301-3883
dfr.oregon.gov

Remit with payment to:
Fiscal Services Section
Department of Consumer
and Business Services
P.O. Box 14610
Salem, OR 97309-0445

**Obligor of Service Contracts
Registration Application**

See instructions on Page 2.

Name of obligor: _____

Street address: _____

City: _____ State: _____ ZIP: _____

Mailing address (if different): _____

City: _____ State: _____ ZIP: _____

Phone: _____ Fax: _____ FEIN # _____

Contact person: _____ Email: _____

Phone: _____ Fax: _____

Domicile: _____ Date established: _____

To be complete, your application must be submitted with the following:

1. Registration fee of \$200.
2. Registration with the Oregon Secretary of State, Corporation Division.
3. Indication of which item defines you as an obligor per ORS 646A.152(2):
 - a. Sells merchandise covered by the service contract.
 - b. Sells merchandise similar to that covered by the service contract.
 - c. Is acting through or with the written consent of the manufacturer, importer, or seller of the merchandise covered by the service contract.
4. One of the following as proof of financial stability:
 - a. A copy of your Form 10-K filing, pursuant to ORS 646A.154(5)(a). If Form 10-K is from parent company, provide guarantee statement with authorized signature.
 - b. A copy of your most recent audited annual financial statement if substituting this for the Form 10-K pursuant to OAR 836-200-0030(8).
 - c. A copy of your reimbursement policy, pursuant to ORS 646A.154(5)(b). Must be an Oregon-approved policy with authorized insurer.
 - d. A \$25,000 surety bond form executed to the State of Oregon by an authorized insurer in Oregon pursuant to ORS 646A.154(6). Applicable to obligor home service agreements only.
5. Copies of all service contracts to be used in Oregon, which must comply with ORS 646A.156. You must file all amendments to service contracts and all new contracts. (No approval process.)

By: _____ Date: _____
Signature of owner/principal

Your registration is not effective until you receive written notification from this office.

Obligor of service contracts must comply with ORS 646A.150 through 646A.172.

Fiscal use only: 92900/1008

INSTRUCTIONS FOR SERVICE CONTRACT OBLIGOR APPLICANTS

Service contract obligors must register with the Department of Consumer and Business Services in order to issue, sell, or offer for sale a service contract in Oregon.

To register, complete Form 440-2851 and return it with your \$200 registration fee to the address below.

After receiving your application, we let you know as soon as possible if there are questions or problems. You may start business when you receive **written** notice that your registration is activated.

Oregon statutes (ORS 646A.150-172; ORS 742.390-392) and administrative rules (OAR 836-200-0060) governing service contracts are available on the Division of Financial Regulation website, dfr.oregon.gov.

If proof of financial stability is established with a reimbursement policy instead of the Form 10-K filing, CPA-audited annual financial statement, or a bond, you must comply with OAR 836-200-0040, including an endorsement attached with the wording:

“Policy provisions are amended to conform with ORS 646A.150 to 646A.172. The insuring agreement is hereby amended to read that:

(1) “Upon failure of the obligor to perform under the contract, _____ (name of insurer issuing policy) shall pay on behalf of the obligor any sums the obligor is legally obligated to pay or shall provide the service that the obligor is legally obligated to perform according to the obligor’s contractual obligation under the service contracts issued by the obligor, and (2) _____ (insurer) will pay claims against the obligor for return of the unearned purchase price of the service contract.”

Oregon Administrative Rule (OAR) 836-200-0050 requires an obligor to be registered with the Corporation Division of the Oregon Secretary of State before registration with the Division of Financial Regulation.

Service contracts and reimbursement policies can only be submitted electronically through SERFF, a portal used by states for form submittal, document management, and review. Product standards and filing instructions can be found at <http://dfr.oregon.gov/rates-forms/misc/pages/service-contracts-obligors.aspx>.

Questions relating to registration, call 503-947-7982 or send email to InsInstitutions.SecDeposits@DCBS.oregon.gov.

Send application package to: Department of Consumer and Business Services
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Salem, OR 97301-3883