



*State of North Carolina*  
*Department of the Secretary of State*

ELAINE F. MARSHALL  
SECRETARY OF STATE

Charitable Solicitation Licensing Division

January 11, 2008

**LICENSE RENEWAL APPLICATION PROCESS FOR  
SOLICITORS AND FUNDRAISING CONSULTANTS,  
NEW CHECKLISTS FOR CONTRACTS, AND REVISED  
SOLICITATION CAMPAIGN NOTICE**

Dear Licensed Solicitor and/or Fundraising Consultant:

Your current license expires on **MARCH 31, 2008**.

The Charitable Solicitation Licensing Division (CSL) of the Department of the Secretary of State is pleased to provide you with the following documents:

**A North Carolina License Renewal Application Form and Instructions**

Be sure to read and follow the Instructions carefully. In addition, do not attach contracts or final accounting reports to your application. These documents are no longer required as part of the license application process but must be filed separately as outlined in the next section.

Do not presume that you have a license as soon as your check clears. You must actually have a license in your possession before any solicitation activities may legally occur. North Carolina law provides for penalties unless licensure is current.

**A Solicitor Contract Checklist, a Fundraising Consultant Contract Checklist,  
and a Solicitation Campaign Notice (January, 2008 Version)**

The new **Solicitor Contract Checklist** and **Fundraising Consultant Contract Checklist** have been developed at CSL to simplify the task of contract review. The goal is to enable solicitors and fundraising consultants to have their contracts in compliance with North Carolina law the first time they are submitted to CSL.

As you know, the Charitable Solicitation Act in North Carolina requires that solicitor and fundraising consultant contracts contain certain information and meet specific requirements. In the interest of making the review process run smoothly and quickly, fundraising

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consultants and solicitors will attach and submit the appropriate checklist with each contract. Separate checklists exist for solicitor contracts [N. C. Gen. Stat. § 131F-16(g)] and for fundraising consultant contracts [N. C. Gen. Stat. § 131F-15(d)].

By having solicitors and fundraising consultants send in a completed checklist with each contract, CSL personnel will be able to conduct a much quicker review of contracts. In addition, fundraising consultants and solicitors will have a concise but comprehensive checklist that lists all of the contract requirements so that provisions required by North Carolina law are not inadvertently omitted from contracts and their addenda. The result will be a more efficient contract review process.

Both checklists will be available soon on the website of the Secretary of State, [www.sosnc.com](http://www.sosnc.com), but this letter gives you advance notice and copies of the checklists for your records so that you have the advantage of immediate access to these useful documents.

Some of you are already familiar with the prior version of the **Solicitation Campaign Notice** that has been on the website. The Notice has recently been revised, and the January, 2008 version is now in effect. It will also be available online soon. The Notice complies with North Carolina statutory requirements so that filling it out completely and accurately will result, as will the use of the checklists, in reducing the time spent adding or changing information and sending documents back and forth between CSL and fundraising consultants/solicitors.

We thank you for your attention to the timely renewal of your license and for your support of these new contract checklists and the revised Campaign Solicitation Notice that will be of benefit to you and to the CSL Division. We hope you share our excitement at the prospect of making contract submission and review a quick and easy process. For questions about licensing, please contact Linda Driver of the CSL Licensing Unit by phone at 919-807-2214 or 919-807-2180 or by email at [ldriver@sosnc.com](mailto:ldriver@sosnc.com). For questions about the checklists or revised Notice form, contact Natalie Carter of the CSL Enforcement Unit by phone at 919-807-2214 or 919-807-2248 or by email at [ncarter@sosnc.com](mailto:ncarter@sosnc.com).

Sincerely,

A handwritten signature in black ink, appearing to read "H. Black", with a long, sweeping underline that extends to the right.

Heather L Black  
Director

Enclosures

## FUNDRAISING CONSULTANT CONTRACT CHECKLIST

*Contracts between a fundraising consultant and a charitable organization or sponsor must be filed with the CSL Division AT LEAST FIVE DAYS PRIOR TO THE COMMENCEMENT OF ANY SERVICES UNDER THE CONTRACT. NO SOLICITATION MAY OCCUR PRIOR TO THE FILING OF THE CONTRACT WITH CSL. Fill in this checklist with the contract page number(s) on which the following required information is located. If the information is in an Addendum, indicate the page number(s) and the word "Addendum" with date as needed. The contract requirements for fundraising consultants are found at N. C. Gen. Stat. § 131F-15 (d) (1)-(5).*

Name of Fundraising Consultant \_\_\_\_\_

Name of Charitable/Sponsor Organization \_\_\_\_\_

### PAGE NUMBER(S) OF ITEM

- |       |  |
|-------|--|
| _____ | 1. Statement of the charitable/sponsor purpose and program for which the solicitation campaign is being conducted.   |
| _____ | 2. Statement of the respective obligations of the fundraising consultant and the charitable organization or sponsor. |
| _____ | 3. Clear statement of the fee that will be paid to the consultant.   |
| _____ | 4. Effective and termination dates of the contract.  |
| _____ | 5. Statement that the fundraising consultant shall not at any time have control or custody of contributions.         |
| _____ | 6. Signatures of two authorized officials of the charitable organization or sponsor.                                 |

*Attach this one page completed checklist to a copy of the contract and submit both documents to CSL at least five days prior to the commencement of services under the contract.*

*Questions? Contact CSL at 919.807-2214.*



1. Application Type: <input type="checkbox"/> Initial <input type="checkbox"/> Renewal			3. Applicant's Principal Telephone Number:		
2. Applicant's Full Legal Name:			5. Legal Form of Applicant's Business:		
4. Applicant's Principal Street Address:			Sole Proprietor / Individual <input type="checkbox"/>		
City:			Corporation <input type="checkbox"/>		
State:			General Partnership <input type="checkbox"/>		
Zip Code:			Limited Liability Corporation <input type="checkbox"/>		
			Limited Liability Partnership <input type="checkbox"/>		
			Other _____ <input type="checkbox"/>		

**OPTIONAL APPLICANT CONTACT INFORMATION**

Contact Person Name:		Contact Person Title:	
Internet Site Address:		Contact Person's Electronic Mail Address:	
Contact Person's Telephone Number:		Contact Person's Facsimile Number:	
Applicant Mailing Address:		City:	State:
		Zip Code:	

**OPTIONAL THIRD PARTY FILER INFORMATION**

Filer Business Name:		Filer Contact Name:	
Business Internet Site Address:		Filer Contact's Electronic Mail Address:	
Filer Contact's Telephone Number:		Filer Contact's Facsimile Number:	
Filer Mailing Address:		City:	State:
		Zip Code:	

6. If Applicant's principal place of business is located outside North Carolina, ATTACH list of street addresses of any applicant offices located in North Carolina.  
 ATTACHMENT 6 included?  Yes  No NC Offices  Not Applicable (NC applicant)

7. Are ANY of applicant's' owners, directors, officers, or employees RELATED as parent, spouse, child, or sibling to ANY of applicant's other directors, officers, owners, or employees?  Yes  No  
 If answer is YES, attach a brief written explanation. ATTACHMENT 7 included?  Yes  Not Applicable

8. Are ANY of applicant's' owners, directors, officers, or employees RELATED as parent, spouse, child, or sibling to ANY officer, director, trustee, or employee of any charitable organization or sponsor under contract with applicant?  Yes  No  
 If answer is YES, attach a brief written explanation. ATTACHMENT 8 included?  Yes  Not Applicable

9. Are ANY of applicant's' owners, directors, officers, or employees RELATED as parent, spouse, child, or sibling to ANY supplier or vendor providing goods or services to any charitable organization or sponsor under contract with the applicant?  Yes  No  
 If answer is YES, attach a brief written explanation. ATTACHMENT 9 included?  Yes  Not Applicable

10. Within the last five (5) years, has the applicant, or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant been convicted of ANY felony?  Yes  No  
 If answer is YES, attach a brief written explanation. ATTACHMENT 10 included?  Yes  Not Applicable



11. Within the last five (5) years, has the applicant, or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant been convicted of ANY misdemeanor arising from the conduct of a solicitation for ANY charitable organization or sponsor OR charitable or sponsor purpose?  Yes  No

If answer is YES, attach a brief written explanation. ATTACHMENT 11 included?  Yes  Not Applicable

12. Within the last five (5) years, has the applicant, or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant been enjoined from violating ANY charitable solicitation law in this or ANY other state?

Yes  No

If answer is YES, attach a brief written explanation. ATTACHMENT 12 included?  Yes  Not Applicable

13. ATTACH a list of the NAMES and RESIDENCE ADDRESSES of ALL of applicant's officers, directors, and owners.

ATTACHMENT 13 included?  Yes

14. ATTACH the required fee of two hundred dollars (\$200.00) (make check payable to: NC Department of the Secretary of State).

ATTACHMENT 14 (FEE) included?  Yes

15. If Partnership or Corporation, does applicant intend to cover multiple individuals with single license?

Yes  No

If YES, ATTACH list containing names and street addresses for ALL officers, employees, and agents of the applicant, as well as all other individuals contracted to work under applicant's direction.

ATTACHMENT 15 included?:  Yes  Not Applicable

16. Applicant's signature:

I do hereby swear or affirm that the information furnished in this application and all supplemental forms, reports, documents, and attachments are true and correct to the best of my knowledge under penalty of perjury.

I do further swear or affirm that this applicant meets the requirements of G.S. §131F-2(10) for acquiring and maintaining a North Carolina fund-raising consultant license in that this applicant:

- a. is retained by a charitable organization or sponsor for a fixed fee or rate under a written agreement to plan, manage, conduct, consult, or prepare material for the solicitation of contributions in the State of North Carolina; and
- b. does not solicit contributions or employ, procure, or engage any person to solicit contributions; and
- c. does not at any time have custody or control of contributions.

Signature: \_\_\_\_\_

Signer's Name (Print):

Signer's Title (Print):

17. Notarization: The following is for a notary public to place you under oath and then notarize YOUR signature:

(County) \_\_\_\_\_ (State) \_\_\_\_\_

County and State in which acknowledgement taken

Notary Stamp or Seal goes Here ↓

Sworn to and subscribed before me this the (e.g., 1<sup>st</sup>):

Day of (e.g., May):

In the year of (e.g., 2003):

Notary Public's Signature:

Notary Public's Name (Print):

Date Notary Public's Commission Expires:



## FUND-RAISING CONSULTANT LICENSE APPLICATION INSTRUCTIONS

ISSUE DATE: 11/17/2003

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### General Instructions:

1. Please do not staple or bind your application materials together.
2. Please submit your application and attachments in single-sided (simplex) format. Doing so expedites processing.
3. Please print clearly or type responses in the space provided.
4. If your answer requires more space than the form permits, please provide your answer as an attachment identified by the question number.
5. Please type or print narrative attachment information clearly.
6. You may provide narrative attachment information in one comprehensive attachment document. If you do this, please identify individual responses by question or attachment number.
7. With the exception of the optional information described below, you must answer all questions.

### Optional information:

Page 1 of the application contains clearly identified data entry areas for the submission of helpful, but optional, applicant information. License applicants may choose not to answer these questions.

### Line-by-line instructions with statutory references.

1. Indicate whether the submission is an initial or a renewal license application. G.S. §131F-15(a).
2. Identify the applicant's full legal name. G.S. §131F-15.
3. Identify the telephone number at applicant's principal business address. G.S. §131F-15(b)(1).
4. Identify the applicant's principal street address. G.S. §131F-15(b)(1).
5. Identify the applicant's legal form of business. G.S. §131F-15(b)(2).
6. If applicant's principal place of business is not located in North Carolina, list the street addresses of applicant's North Carolina offices, if any. G.S. §131F-15(b)(1).
7. Identify whether any of the applicant's owners, directors, officers, or employees are related as a parent, spouse, child, or sibling to any of the applicant's other directors, officers, owners, or employees. If the answer is yes, attach a short statement identifying the persons, their positions relative to the applicant, and the relationship. G.S. §131F-15(b)(4)a.
8. Identify whether any of the applicant's owners, directors, officers, or employees are related as a parent, spouse, child, or sibling to any officer, director, trustee, or employee of any charitable or sponsor organization under contract with the applicant. If the answer is yes, attach a short statement identifying the persons, their positions relative to the applicant and the contracting organization, and the relationship. G.S. §131F-15(b)(4)b.
9. Identify whether any of the of applicant's owners, directors, officers, or employees related as a parent, spouse, child, or sibling to any supplier or vendor providing goods or services to any charitable organization or sponsor under contract with the applicant? If the answer is yes, attach a short statement identifying the persons, their positions relative to the applicant, the supplier or vendor, and the contracting organization, and the relationship. G.S. §131F-15(b)(4)c.
10. Identify whether the applicant or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant, have been convicted of any felony within the last five years. If the answer is yes, attach a short statement identifying the person(s), their position(s) relative to the applicant, and the place, date, and underlying charge(s) for the conviction(s). G.S. §131F-15(b)(5).
11. Identify whether the applicant or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant have been convicted of any misdemeanor arising from the conduct of a solicitation for any charitable organization or sponsor or charitable or sponsor purpose within the last five years. If the answer is yes, attach a short statement identifying the person(s), their position(s) relative to the applicant, and the place, date, and underlying charge(s) for the conviction(s). G.S. §131F-15(b)(5).
12. Identify whether the applicant or any of the applicant's directors, officers, employees, agents, or persons with a controlling interest in the applicant has been enjoined from violating any charitable solicitation law in North Carolina or in any other state within the last five years. If the answer is yes, attach a short statement identifying the person(s), their position(s) relative to the applicant, and the place, date, and underlying circumstances for the injunction. G.S. §131F-15(b)(5).
13. Attach a list of the names and residence addresses of all of the applicant's officers, directors, and owners. G.S. §131F-15(b)(3).
14. Attach the required fee of two hundred dollars (\$200.00). G.S. §131F-15(c).
15. If the applicant is a partnership or corporation, identify whether the applicant intends to cover multiple individuals with a single license. If the answer is yes, attach a list of the names and street addresses for all officers, employees, and agents of the applicant, as well as all other individuals contracted to work under the applicant's direction. G.S. §131F-15(c).
16. Signature block: Sign the document under oath. G.S. §131F-15(b).
17. Notarization block: Sign the document under oath. G.S. §131F-15(b).