

**CB101.53 Loan Production Office [Section 11-105-101(1); Section 11-102-104(1)(a),  
C.R.S.]**

**A. Definitions:**

1. A Loan Production Office (LPO) is defined as a any location other than the bank's main office in Colorado that is not a branch and where the only activities conducted are the solicitation and origination of loans by employees or agents of a bank or a subsidiary.
2. A Branch is any location in Colorado, other than the main office, at which deposits are received, checks are paid, money is lent and trust powers may be exercised.

B. A Colorado state-chartered bank or of a subsidiary corporation are conducted, provided that the loans are a state bank chartered in another jurisdiction that intends to open a LPO in Colorado, or operate a LPO under a name which differs in any way from the name approved and made at the main office of the bank or at an office of the subsidiary located on the premises of or contiguous to the main office of the bank, and which location is subject to notification and the fee provisions of this Rule by the Banking Board, shall file an application on the appropriate form provided by the Division of Banking (Division).

The completed application shall be filed at least thirty (30) days prior to the anticipated first day of operations or use of a new name. Every LPO application shall include the name or names under which the applicant proposes to conduct the business of such LPO. The application shall be accompanied by a fee as set by the Banking Board pursuant to Section 11-102-104(11), C.R.S.

~~B. Approval of loans at the main office is not intended to be perfunctory, i.e. merely final execution of the loan documents. Approval at the main office shall be in accordance with safe and sound banking practice, including a review of the credit quality of the loan and a determination that it meets the bank's credit standards. In making an independent credit decision, the employee at the main office may consider recommendations made by the LPO as a factor when assessing the credit quality of the loan.~~

~~C. Application to Operate a LPO or Application to Change Location of a LPO shall be filed with the Banking Board on a form provided by the Division of Banking. A completed application shall be filed at least thirty (30) days prior to the anticipated first day of operating at a location. The application shall be accompanied by a fee as set by the Banking Board pursuant to Section 11-102-104(11), C.R.S.~~

C. A LPO shall not be eligible to conduct business in Colorado if the proposed name is either:

1. Identical to or deceptively similar to the name of any existing financial institution having its principal place of business in Colorado; except that this paragraph (1) shall not apply if the applicant obtains express written consent of the affected Colorado financial institution; or

2. Likely to cause the public to be confused, deceived, or mistaken.

D. When processing a LPO application, the Division shall:

1. Commence a ten (10) calendar day comment period by posting the proposed name on the Division's website and distributing the proposed name by email to its distribution mailing list;

2. If no objections are received within ten (10) calendar days, the Division shall proceed with processing the application; and

3. If an objection is received within ten (10) calendar days, the Division will notify the applicant and request that the applicant contact the objecting party and work out an agreement. The applicant and the objector should provide a written response to the Division within thirty (30) calendar days.

4. If the applicant and the objecting party cannot reach a mutual resolution, the matter will be scheduled for hearing at a meeting of the Banking Board or delegated to the Commissioner.