



WAIVER REQUEST FORM

**For the use of the word “Bank,” “Banker,” “Bancorp,” “Savings Bank,” “Trust Company”
or a word or words of similar import in a company name in Idaho**

Idaho Code § 26-1202(1) states, “no person may advertise or transact business in this state under a name or title that contains the word ‘bank,’ ‘banker,’ ‘bancorp,’ ‘savings bank,’ ‘trust company,’ or a word or words of similar import, unless the person has been granted a charter to engage in banking or trust business in this state by the director, or unless the director has granted the person a waiver from this prohibition as set forth in this section.”

Idaho Code § 26-1202(2) states the “prohibition shall not apply to a ... state-chartered bank or trust company located in another state that has obtained all approvals that may be required under the law as a prerequisite to doing business in this state.”

Idaho Code § 26-1202(3) states, “the director may grant a waiver to allow the use of the word “bank,” “banker,” “bancorp,” “savings bank,” “trust company” or a word or words of similar import if:

- (a) The person is not engaged in banking or trust business;
- (b) The name or title used is not likely to deceive or mislead an individual to believe that the person is engaged in banking or trust business;
- (c) The name or title, or a name or title similar to it, is not already used by another person doing business in this state; and
- (d) The name or title does not suggest or imply that the person is engaged in unlawful conduct.

Please complete this form and email it to FIB@finance.idaho.gov.

1. What is the name of the company?

2. What is the address of the company?

3. Who is/are the owner(s)?

4. What is the nature of the business?

5. Will the company be engaged in the business of banking as defined in [Idaho Code § 26-106\(2\)](#) or trust business as defined in [Idaho Code § 26-3203\(30\)](#) **Yes/No**_____

If yes and the business is a bank or credit union already chartered by a state or federal agency, please complete the following (if the business is a trust company, please see the note at the bottom of this page):

1. What is the name of the bank/credit union?

2. Who is the chartering agency?

3. Does the bank/credit union plan on opening a physical office in Idaho for the purposes of banking? **Yes/No**_____ If yes, please give the address and opening date (if known).

4. Will the bank/credit union have a physical office in Idaho for the sole purpose of offering loans to Idaho residents? **Yes/No**_____

If yes, [please see Idaho Code § 26-302](#). You may provide notice of the intent to open a loan production office with this request. Please include the anticipated opening date of the office.

Note: If your company is seeking authorization to conduct trust business in Idaho or obtain a bank charter, please contact us at FIB@finance.idaho.gov for more information.