

REQUIREMENTS FOR REACTIVATION/STATUS CHANGE/CONVERSION - PRIVATE DETECTIVE & GUARD

Access this form via website at: cca.hawaii.gov/pvl

Mail required documents to:

BOARD OF PRIVATE DETECTIVES & GUARDS
DCCA, PVL Licensing Division
P.O. Box 3469
Honolulu, HI 96801

OR

Deliver to office location at:

335 Merchant Street, Rm 301
Honolulu, HI 96813

Phone: (808) 586-3000

Toll free voice access numbers for the neighbor islands:

Molokai & Lanai: 1-800-468-4644 ext. 6-3000
Hawaii: 974-4000 ext. 6-3000

Maui: 984-2400 ext. 6-3000
Kauai: 274-3141 ext. 6-3000

NO APPLICATION/FEES REQUIRED FOR THE FOLLOWING:

ENTITY with current license appointing a New Principal Detective/Guard or Additional Principal Detective/Guard with current license

Confirmation of the change in status is required.

1. **Submit** letter from entity stating name of new or additional Principal Detective/Guard.
2. **Submit** letter from Principal Detective/Guard stating change from one entity to another.
3. A signed "*Responsible and Subordinate Principal Detective/Guard Designation*" form (PDG-17). Available on-line.

Please note:

1. If an entity is not licensed in Hawaii, a new application must be filed.
2. If the Principal is not licensed in Hawaii, a new application must be filed.
3. If a sole proprietor changes to another entity (Corporation, Partnership, J/V, LLC, LLP), the entity must apply for a new license. The sole proprietor's status will change to Principal Detective/Guard, and thereafter two licenses (entity & Principal Detective/Guard) must be maintained.

Principal Detective/Guard changing entity affiliation or presently a Sole Proprietor going to be a Principal Detective/Guard

Refer to same requirements as ENTITY appointing a new Principal Detective/Guard.

To be a Principal Detective/Guard for more than one entity, or to remain a sole proprietor while also serving as a Principal Detective/Guard for an entity, submit a letter requesting "**dual status**". Certain conditions must be met to qualify for dual status. Call Board office for details.

APPLICATION/FEES ARE REQUIRED FOR THE FOLLOWING:

Changing from "Active" status to "Inactive" status

1. \$12 fee and complete "Inactivation" application (LB-51). Contact the Board's office for an application or download the application from our website at: cca.hawaii.gov/pvl.
NOTE: Entity or Principal's bond must be **current** to place license on "inactive".

Conversion to another entity

1. \$50 fee and complete application (PDG-23).
2. A "file-stamped" copy of the Articles of Organization for the new entity filed with the Business Registration Division of the Department of Commerce and Consumer Affairs (BREG). Contact them at (808) 586-2727.
3. Copy of Certificate of Conversion issued by BREG, verifying the conversion.
4. Conversions do not apply to sole proprietors changing to an entity. Submit a rider or new bond to reflect new name.

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THE FOLLOWING ACTIONS REQUIRE BOARD APPROVAL:

Filing Deadline

A complete application along with appropriate fees and forms must be received at least 30 days prior to the Board meeting date. Board meetings are usually scheduled in the months of January, March, May, July, September and November.

Presently a Principal Detective/Guard and Changing to Sole Proprietor

1. \$50 fee and complete application (PDG-23).
2. Letter from Principal Detective/Guard verifying dissociation from Detective/Guard entity.
3. If you are planning to use a tradename, submit a "file-stamped" copy of current tradename registration approved by BREG.

Presently Inactive and will be reactivating as Principal Detective/Guard

1. \$50 fee and complete application (PDG - 23).
2. Letter from entity stating that he/she will be their Principal Detective/Guard. (If the entity is not licensed in Hawaii, a new application must be filed along with this application.)
3. A signed "Principal & Subordinate Principal Detective/Guard Designation" form (PDG-17).
4. FBI National and State Criminal History Record Check through the Hawaii Criminal Justice Data Center (HCJDC).

Presently Inactive and will be Reactivating as Sole Proprietor

1. \$50 fee and complete application (PDG-23).
2. FBI National and State Criminal History Record Check through the Hawaii Criminal Justice Data Center (HCJDC).

Presently Inactive Corporation, Partnership, Limited Liability Company or Limited Liability Partnership and will be Reactivating

1. \$50 fee and complete application (PDG-23).
2. Letter from Principal Detective/Guard stating status change. (If not licensed in Hawaii, a new application must be filed along with this application).
3. A signed "Principal and Subordinate Principal Detective/Guard Designation" form (PDG-17).
4. A current "Certificate of Good Standing" for business entity issued not more than 12 months ago which can be obtained from the Department of Commerce and Consumer Affairs, Business Registration Division (phone: 808-586-2727).
5. If you are planning to use a tradename, submit a "file-stamped" copy of current tradename registration approved by BREG.
6. FBI National and State Criminal History Record Check for each officer, director, partner, manager or member.

INSTRUCTIONS ON OBTAINING THE FBI NATIONAL AND STATE CRIMINAL HISTORY RECORD CHECK IF REACTIVATING AS A PRINCIPAL DETECTIVE/GUARD, SOLE PROPRIETOR OR TO ANY OFFICER, DIRECTOR, PARTNER, MANAGER OR MEMBER RESPONSIBLE FOR THE AGENCY:

To obtain the FBI National and State Criminal History Record Check, applicants shall be fingerprinted electronically at Fieldprint Inc. locations nationwide or any other fingerprinting agency approved to send electronic fingerprints to the Hawaii Criminal Justice Data Center ("HCJDC").

Please visit Fieldprint Inc. at: <http://fieldprinthawaii.com> to make an appointment, inquire about other available site locations on the Continental United States, or call (877) 614-4361.

Fees for the FBI National and State Criminal History Record Checks shall be paid directly to Fieldprint and will be electronically sent to the HCJDC.

NOTE: An application must be filed within 30 days of the fingerprinting to ensure that the results are obtainable from the HCJDC. If the results are not obtainable, you will be required to obtain new fingerprints.

Applicant Notification and Record Challenge: *Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.*

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NOTE: Upon approval by the Board, the following shall be due:

1. A bond of not less than \$5,000 issued by a surety authorized to conduct business in this State on the form provided shall be submitted. Bond form must be notarized by both the applicant and surety issuing the bond. The surety must indicate on Bond form if Bond is for the principal, Private Detective Agency or Guard Agency.
2. Applicable fees.
3. Business Address, if applying for sole proprietor or an agency.
4. A signed "*Responsible and Subordinate Principal Detective/Guard Designation*" form (PDG-17). (Available at Board's office or online) and, if applicable other items that may be required by the Board.
5. A signed "Attestation of Licensees Intending or Not to Hire Employees" (PDG-18).

Release of Information

If an agency or individual is assisting you with the licensure process, we will not be able to release any information to them unless you provide us with authorization. If you wish to do so, please complete the portion on **Release of Information to Third Party**, sign and date it.

INSTRUCTIONS FOR "YES" ANSWERS TO QUESTIONS (1) THROUGH (4) OF THE APPLICATION FOR REACTIVATION, STATUS CHANGE, CONVERSION - PRIVATE DETECTIVE & GUARD (PDG-23):

The following documentation must be submitted with the license application. Applications for license will not be considered without this material.

- 1) Questions 1 and 2 refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license. If your answer is "YES" to one or more of these questions, you must **submit** the following:
 - i. A detailed statement signed by you explaining the underlying circumstances; and
 - ii. Copies of any documents from the agency, including final orders, petitions, complaints, findings of fact and conclusions of law, and any other relevant documents.
- 2) If your application indicates a criminal conviction (Question 3), you must **submit** the following:
 - i. A detailed statement signed by you explaining the underlying circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended.
 - ii. A copy of all related court documents (i.e. indictments, judgments, guilty pleas, verdict, and terms of sentence) if applicable, proof of payment of fines; and
 - iii. If applicable, a copy of the terms of probation and/or parole and a statement from your probation or parole officer as to your compliance with the court orders (terms and conditions imposed including any court documentation evidencing completion or discharge);
- 3) If your application indicates you are presently suffering from a psychiatric or psychological disorder (Question 4), please submit the following:
 - i. An explanation of the underlying facts and circumstances surrounding your psychiatric/psychological disorder and treatment.
 - ii. Letters from your treating licensed health care practitioner (e.g. psychologist, psychiatrist, psychiatric mental health nurse practitioner, adult psychiatric and mental health clinical nurse specialist) regarding the diagnosis, status of your psychiatric or psychological disorder and assessment of your ability to work in the registered/licensed profession (principal guard, guard employee, principal detective).
 - iii. Letters of recommendation from your current employer regarding your reliability, trustworthiness and ability to work as a principal guard, principal detective or guard employee.

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MAINTAINING YOUR LICENSE:

Uniform/Emblem/ Badge Clearance

In accordance with Chapter 16-97-14, HAR, photographs of any uniform, emblem, and badge, (if being used) will be required for Board and County approval. One set of photographs for the Board and additional sets for police departments of each county where you will be doing business will also be required. In addition, no licensee shall wear or permit any employee to wear any uniform, badge, identification, or emblem similar in design as that of any government law enforcement agency.

Employee Registration Form

Pursuant to Chapter 16-97-15, HAR, List of employees, every agency shall submit an Employee Registration Form on or before July 31st and January 31st after the end of each semi-annual period. This form (PDG-16(a)) for guard agencies shall list the names, addresses, guard employee registration number and the dates of hire and termination of all employees doing any type of guard work. This form (PDG-16) for private detective agencies shall list the names, addresses, dates of birth, and the dates of hire and termination of all employees doing any type of investigative work. **Failure to do so shall result in the Board initiating an investigation for disciplinary action. Complete and submit PDG-18 if you no longer have employees to stop the reporting requirements.** These forms are available on our website at: cca.hawaii.gov/pvl.

PDG-16 for Private Detective Agency/ Firm/Sole

PDG-16(a) for Guard Agency/Firm/Sole

Maintain Bond

Maintain a bond in force at all times. Failure to maintain bonding will result in the immediate and concurrent suspension of the license until such time a successor bond is filed.

Place of Business

A licensed Private Detective or Guard Agency and sole proprietor shall have and maintain a definite place of business where the licensee may be served notice and legal process in the State. A Post Office Box number is not accepted as a place of business. Personal residence addresses may be used provided it is in compliance with the respective county zoning requirements.

NOTE: Using a residential address as a business address will make the residential address a disclosable public record.

Biennial Renewal

All licenses, regardless of issuance date, are subject to renewal on or before **June 30, of each even-numbered year**. Payment of renewal fees, information relative to conviction of the licensee of a crime which reflects unfavorably on the fitness of the licensee to engage in the profession, whether any psychiatric or psychological treatment has been recommended to the licensee, and evidence of a current bond are required. Licenses not renewed by June 30 are forfeited and the holders of a forfeited license are considered unlicensed and may not practice. Forfeited licenses may be restored upon written application within one year and upon submittal of all required documents, fees, delinquent fees and a penalty fee.

Licenses who do not restore their licenses within the one year period are required to file as new applicants.

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Inactive Status

Act 94, SLH 2004 established an inactive status which allows licensees, upon written request, to hold their licenses in abeyance if not currently being used in an effort to reduce a regulatory burden. This will result in lower renewal fees, the preservation of the previously met licensure requirements (i.e., experience and examinations) and reduce costs because bonds would not have to be maintained during the inactive period. An active license may be placed on inactive status by filing an "Inactivation Application" and paying the appropriate fee. While on inactive status, a licensee shall not be engaged in the practice of a private detective, guard, or agency. The license may be reactivated at any time by **filing an "Application for Reactivation/Status Change/Conversion"** and meeting all requirements established by the Board, including the payment of the appropriate fees and providing any information regarding any arrest or conviction of any crime that reflects unfavorably on the fitness of the licensee to engage in the profession, and information that the licensee, while on inactive status, has suffered a psychiatric or psychological disorder that is directly related and detrimental to the licensee's performance in the profession.

APPLICATION FOR REACTIVATION, STATUS CHANGE, CONVERSION - PRIVATE DETECTIVE & GUARD		License No.	Effective Date
Access this form via website at: cca.hawaii.gov/pvl			
<i>(Read Instructions & Requirements)</i>		FOR BOARD USE ONLY	
Name of Applicant (Sole Proprietor/Principal: First, Middle, Last; or give name of entity)			
Trade Name (if any)			
Hawaii Business/Residence address (include apt. no., city, state & zip code)			
Mailing address (if different from above)			
Social Security No.	Phone No. (days) ()	Check type of License: <input type="radio"/> Private Detective <input type="radio"/> Guard <input type="radio"/> Private Detective Agency <input type="radio"/> Guard Agency	
Check only one: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Principal Detective/Guard <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Partnership (LLP)			
Application is being made to: (Check only one) <input type="checkbox"/> REACTIVATE LICENSE <input type="checkbox"/> CHANGE STATUS <input type="checkbox"/> CONVERSION			
If applicant is corporation, partnership, J/V, LLC, or LLP, provide: Name of Principal: _____ License No.: _____		If applicant is Principal or Sole Proprietor Detective/Guard, provide: Name of employing firm: _____ License No.: _____ Date of fingerprinting: _____	
Check answers and give details when required. Answer questions ONLY if you are reactivating a license.			
1. Since the date that your Hawaii license was placed on inactive status, has any license, certificate or registration been suspended, revoked, or otherwise subject to disciplinary action in this or any state? <input type="checkbox"/> YES <input type="checkbox"/> NO			
2. Are there any disciplinary actions pending against you? <input type="checkbox"/> YES <input type="checkbox"/> NO			
3. Since the date that your Hawaii license was placed on inactive status, have you been convicted of a crime in which the conviction has not been annulled or expunged? <input type="checkbox"/> YES <input type="checkbox"/> NO			
4. Since the date that your Hawaii license was placed on inactive status, have you received treatment for any psychiatric or psychological disorder or has any such treatment been recommended? <input type="checkbox"/> YES <input type="checkbox"/> NO			
If response is "YES", to questions 1-4 refer to the instructions for additional documents that must be submitted with this application.			

*****ENTITIES ARE REQUIRED TO COMPLETE PAGE 2*****

Print Applicant Name: _____

Date: _____

Complete only if applicant is **reactivating a license as a corporation, partnership, J/V, LLC, or LLP**. List name(s) of officers, directors, managers, or members. **(NOTE: Each name(s) listed requires a FBI National and State Criminal History Record Check).**

Provide Name, Residence Address, and check title	Provide Name, Residence Address, and check title
<input type="checkbox"/> President <input type="checkbox"/> Manager <input type="checkbox"/> Member <input type="checkbox"/> Partner	<input type="checkbox"/> Secretary <input type="checkbox"/> Manager <input type="checkbox"/> Member <input type="checkbox"/> Partner
_____	_____
Date fingerprinted: _____	Date fingerprinted: _____
<input type="checkbox"/> Vice-President <input type="checkbox"/> Manager <input type="checkbox"/> Member <input type="checkbox"/> Partner	<input type="checkbox"/> Treasurer <input type="checkbox"/> Manager <input type="checkbox"/> Member <input type="checkbox"/> Partner
_____	_____
Date fingerprinted: _____	Date fingerprinted: _____

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Affidavit of Applicant

I, the undersigned, consent to be fingerprinted and to the retention of my fingerprints by the Hawaii Criminal Justice Data Center. I also consent to the release of information to Department of Commerce and Consumer Affairs (DCCA), Board of Private Detective and Guards regarding criminal history information contained in my record for the purpose of determining my qualifications to be licensed, registered or employed as a principal detective, principal guard, detective or guard agency or guard employee. I understand that DCCA, Board of Private Detective and Guards may use information authorized by this release only for the purpose for which it is obtained.

I hereby certify that the statements, answers and representations made in this application and in the documents submitted are true and correct. I understand that any material misrepresentation is grounds for refusal or subsequent revocation of license and is a misdemeanor (Section 710-1017, Section 436B-19, Hawaii Revised Statutes.) I further certify that I have read and will abide by the provisions of Hawaii Revised Statutes, Chapter 463 and Hawaii Administrative Rules, Chapter 97.

Applicant's Signature/Officer/Partner/Manager/Member

Date

Title

Release of Information to Third Party:

To assist me in the licensing process, I authorize the staff to release any and all information regarding my application (including but not limited to, application status) to:

Print Name of Individual who is assisting you: _____

Name of Organization: _____

Signature of Applicant

Date

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.