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RINA ALERT!

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Your comments on specific articles as well as suggestions for future articles are always welcome and may be directed to alert!@rina.com

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Another Scam By A Company Calling Itself Business Filings Division

There is a recurring scam being conducted in California by a company calling itself the Business Filings Division. They send out statements that are intentionally designed to look like official notifications from the California Secretary of State regarding the annual filing that should be done directly with that agency that lists the officers of your corporation. The form is sent out a little earlier than the real one and asks for a payment of \$235 to then file the Secretary of State form in your behalf. See the discussion below from the Secretary of State's website and don't pay this fee to this company.

The Secretary of State's office has been advised that solicitation letters are being sent to California businesses encouraging them to comply with their [California Corporations Code](#) filing obligations by submitting fees and documents to a third party rather than by filing directly with the Secretary of State's office.

These solicitations are not being made by the California Secretary of State's office and are not being made by or on behalf of any governmental entity.

The solicitations request that a fee and a completed form be submitted in order for the business to comply with applicable California or other law. The solicitations tend to have one or more of the following characteristics:

- Appear similar to a Secretary of State Statement of Information form;
- Contain an official-looking seal;
- Quote a specific statute or other law on the form to be filled out and returned;
- Imply that failing to return the form and pay the requested fee may place the entity in legal jeopardy, or might cause the entity's filings with the California Secretary of State to be in default or noncompliant status;
- Contain a reference to a "file number," "Corp Number," "Corporation Number," or "Control Number" that does not match the number assigned to the entity by the California Secretary of State;
- Reference or quote Corporations Code sections inapplicable to the type of entity being solicited, such as Code sections applicable to corporations when soliciting a limited liability company;
- Reference an "annual fee" or "annual payment" rather than a filing fee and that is in excess of the filing fee for a Statement of Information;
- Provide an estimated processing time for "minutes" to be prepared and mailed to the entity;
- Indicate the submitted information will be treated as private and confidential.

These companies have no affiliation with the California Secretary of State's office and no business is required to go through another company in order to file its documents with the Secretary of State's office

[Statement of Information forms and instructions](#) are available through our website, and the fee required to file the statement is \$25 for California stock and foreign corporations, and \$20 for California nonprofit corporations and all limited liability companies. Also, the Statement of Information can be submitted for filing directly by mail to Secretary of State, Statement of Information Unit, P.O. Box 944230, Sacramento, California 94244-2300, in person at 1500 11th Street, Sacramento, California, 95814, or, for most corporations, by using a credit card through the internet at <https://businessfilings.sos.ca.gov/>.

If you have received a solicitation letter that seems misleading or confusing, please contact the California Attorney General's office at the California Department of Justice, Public Inquiry Unit, P.O. Box 944255, Sacramento, California 94244-2550 or through the California Attorney General's website at www.ag.ca.gov/consumers/general.php. The telephone number for the Public Inquiry Unit is (800) 952-5225 (toll free in California) or (916) 322-3360.

If you have any questions please do not hesitate to contact us. There is a recurring scam being conducted in California by a company calling itself the Business Filings Division. They send out statements that are intentionally designed to look like official notifications from the California Secretary of State regarding the annual filing that should be done directly with that agency that lists the officers of your corporation. The form is sent out a little earlier than the real one and asks for a payment of \$235 to then file the Secretary of State form in your behalf. See the discussion below from the Secretary of State's website and don't pay this fee to this company.

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