

Revised Article 9 Filing Basics

1. Use the exact legal name of the debtor:
 - a. Debtor name must be an organization's or individual's exact, full, unabbreviated legal name. A financing statement that fails sufficiently to provide the name of the debtor is "seriously misleading." And not effective. §9-503.
 - b. For an organization, use its exact registered name. Use a debtor's certificate of incorporation and all amendments for evidence of exact legal registered name. Do not use DBAs unless as a multiple debtor. §9-503. Be careful with trusts; review Trust Names slides in RA9 Update seminar for more info.
 - c. For an individual, use the exact, full, unabbreviated legal name, as well as file under all possible individual name variations. Determine possible names from all sources available such as: drivers license or form of state issued ID; social security card; birth certificate marriage certificate; passport; military ID; and/or court order of name change. Review Individual Names slides in RA9 Update seminar for more info. Suffixes should be legal suffixes and not professional or academic.
 - d. Sworn name affidavit by debtor is helpful.
2. File in the state where the debtor is located:
 - a. File for registered organizations in the state where the organization is registered. §9-307.
 - b. File for non-Registered Entities in the state where the chief executive office is located.
 - c. File for individuals filings in the state where the individual's primary residence is located.
 - d. File for foreign debtors located in a country with no centralized filing system with D.C. Records Office.
 - i. Exceptions: Federally created entities, aircraft and vessels.
3. File in central filing office generally except for fixture and agricultural filings:
 - a. File where the debtor is located in a centralized filing system for most collateral (Central Filing Office). §9-501.
 - b. Record at the county level where real estate is located for fixture filings, timber, as-extracted collateral and mortgages on real property (Local Filing Office). §9-301, §9-302 and §9-307.
 - c. Most states require filings at local filing office for agricultural collateral.
 - d. Georgia and Louisiana allow for filings to be made in any clerk location but have centralized index.
4. Under RA9 there are Limited Reasons for Rejection:
 - a. See Rejection Reasons chart below. Additionally see IACA Filing Guidelines Chart.
5. Other requirements:
 - a. Amendment for debtor name changes must be filed within four (4) months of change.
 - b. New filing for debtor location changes must be filed within four (4) months of change.
 - c. If a debtor transfers its interest in collateral to a third party in a new jurisdiction, a secured party has one year in which to file in the new jurisdiction.
 - d. Filings effective for five (5) years except transmitting utilities.
 - e. Continuations must be filed in six (6) month window prior to expiration.

Filing Form	Reason to File	RA9 Reject Reasons
General Info		General Reasons for Rejection: - Debtor is not identified as individual or organization. - The filing does not include the debtor's last name or address when identified as an individual. - When identified as being for an organization, the filing does not include type, jurisdiction, and/or corporate identification number [or the box checked "none"]. - The proper fee is not included. - The writing is illegible. - State specific rejection reasons. See RA9 State Specific Forms and IACA Filing Guidelines charts.
Initial UCC1 + Addendum	Perfect a security interest	- General reasons. - Debtor or secured party name or address is missing - If there is an assignee, the record does not provide the name and address on the UCC1 and / or the original secured party name on the UCC1 Addendum.
Amendment UCC3 + Addendum	- Change a debtor name or address - Change a secured party name or address - Delete or add a debtor or secured party - Change the collateral	- General reasons - The record does not identify the file number of an active financing statement. - The record does not identify any amendment type in the appropriate blocks. - The record for a continuation is not filed within the six-month window before the lapse date. - Failure to provide a name or address for the assignee in an assignment
Correction UCC5	- Add a filing to the official record to claim that a financing statement is inaccurate or wrongfully filed	- The proper fee is not included - The record does not legibly identify the file number of an active financing statement
Initial (Farm) UCC1 + Addendum	- To perfect a security interest in agricultural collateral	- Same as UCC1 + Addendum
Amendment (Farm) UCC3	- Change an agricultural debtor or secured party name or address - Delete or add an agricultural debtor or secured party - Change the agricultural collateral	- Same as UCC3 + Addendum Please Note: Other information may be required to make a filing effective under RA9. Rules and forms may vary from state to state on farm product collateral. Use of state specific forms is recommended.

This is designed to be an informational summary. It is used by our office to help our staff communicate among ourselves and with our clients. This list is not intended to be a legal guide. NRAI does not engage in nor practice legal services. Rather, we recommend thorough legal review of all statutes and requirements to ensure your issues are comprehensively considered.