



COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

BTA1242
(04/09)

APPLICATION FOR A CERTIFICATE OF REGISTRATION
TO TRANSACT BUSINESS IN VIRGINIA AS A FOREIGN BUSINESS TRUST

1. The name of the foreign business trust is (include, if required, any "for use in Virginia" name in parentheses)

2. The foreign business trust was formed under the laws of

_____ on _____
(state or other jurisdiction of formation) (date of business trust's formation)

3. (Mark if applicable:) [] The business trust was previously authorized or registered with the Commission to transact business in Virginia as a foreign business entity. (See instructions.) Set forth the additional required information on an attachment.

4. A. The name of the business trust's registered agent in VIRGINIA is

B. The registered agent is (mark appropriate box):

(1) an INDIVIDUAL who is a resident of Virginia and

- [] a trustee or officer of the business trust
[] an officer or director of a corporation that is a trustee of the business trust
[] a general partner of a general or limited partnership that is a trustee of the business trust
[] a member or manager of a limited liability company that is a trustee of the business trust
[] a trustee of a business trust or other trust that is a trustee of the business trust
[] a member of the Virginia State Bar

OR

(2) [] a domestic or foreign stock or nonstock corporation, limited liability company, registered limited liability partnership or business trust authorized to transact business in Virginia.

C. The business trust's VIRGINIA registered office address, including the street and number, if any, which is identical to the business office of the registered agent, is

_____, VA _____
(number/street) (city or town) (zip)

which is physically located in the [] county or [] city of _____

5. The Clerk of the Commission is irrevocably appointed as the agent of the foreign business trust for service of process if the business trust fails to maintain a registered agent in Virginia as required by § 13.1-1220 of the Code of Virginia, the registered agent's authority has been revoked, the registered agent either has resigned, or the registered agent cannot be found or served with the exercise of reasonable diligence.

6. The post office address, including the street and number, if any, of the foreign business trust's principal office is

(number/street) (city or town) (state) (zip)

7. The foreign business trust is a "foreign business trust" as defined in § 13.1-1201 of the Code of Virginia.

Executed in the name of the foreign business trust by:

_____ (signature) _____ (date) _____ (telephone number (optional))

_____ (printed name) _____ (title (e.g., trustee or title of officer)) (see instructions for requisite signature)

PRIVACY ADVISORY: Information such as social security number, date of birth, maiden name, or financial institution account numbers is NOT required to be included in business entity documents filed with the Office of the Clerk of the Commission. Any information provided on these documents is subject to public viewing.

SEE INSTRUCTIONS ON THE REVERSE

INSTRUCTIONS TO FORM BTA1242

This application, which has been prescribed by the Commission, is required to be filed with the Commission by a foreign business trust in order to obtain a certificate of registration to transact business in Virginia.

Section 13.1-1202 of the Code of Virginia requires that the application be in the English language, typewritten or printed in black, legible and reproducible. The document must be presented on uniformly white, opaque paper, free of visible watermarks and background logos.

You can download this form from our website at www.scc.virginia.gov/clk/formfee.aspx.

The business trust's name must be set forth in item 1 exactly as it appears in its articles of business trust, as amended, without alteration or abbreviation. If the name of the business trust contains one of the following words or phrases "trust company," "corporation," "professional corporation," "incorporated," "limited company," "limited liability company," "professional limited liability company," "limited partnership," "registered limited liability partnership," "limited liability partnership," "registered limited liability limited partnership," or "limited liability limited partnership;" the abbreviations "Corp.," "Inc.," "L.C.," "LC," "L.L.C.," "LLC," "P.C.," "PC," "P.L.C.," "PLC," "P.L.L.C.," "PLLC," "L.P.," "LP," "R.L.L.P.," "RLLP," "L.L.P.," "LLP," "R.L.L.L.P.," "RLLLP," "L.L.L.P.," or "LLLP;" or any word or phrase the use of which is prohibited by law for the business trust, or if the business trust's real name is unavailable, it must adopt a designated name for use in Virginia. State the "for use in Virginia" name in parentheses on the first line of the application, following the business trust's real name. The business trust name must be distinguishable upon the records of the Commission. See §§ 13.1-1242 and 13.1-1244 of the Code of Virginia. To check the availability of a business trust name or a designated name, please contact the Clerk's Office Call Center at (804) 371-9733 or toll-free in Virginia at (866) 722-2551.

If the business trust was previously authorized or registered to transact business in Virginia as a foreign corporation, limited liability company, business trust, limited partnership or registered limited liability partnership, with respect to every such prior authorization or registration, set forth, **on an attachment**, the name of the entity, the entity's type, the state or other jurisdiction of incorporation, organization or formation; and the identification number that was issued to the entity by the Commission.

The business trust may not serve as its own registered agent.

The address of the registered office must include the street and number, if any, and must be identical to the business office of the registered agent. See § 13.1-1220 of the Code of Virginia. A rural route and box number may only be used if no street address is associated with the registered office's location. A post office box is only acceptable for towns/cities that have a population of 2,000 or less if no street address or rural route and box number is associated with the registered office's location. State the name of the county or independent city in which the office is physically located. Counties and independent cities in Virginia are separate local jurisdictions.

The application must set forth the address of the principal office of the foreign business trust. The address must include the street and number, if one is associated with the principal office's location. A rural route and box number may only be used if no street address is associated with the principal office's location. A post office box is not acceptable given the aforementioned statutory provisions. See § 13.1-1242 of the Code of Virginia.

The application must be executed by a person with authority to do so under the laws of the state or other jurisdiction under which the foreign business trust is formed. The person signing the application must print his or her name and the capacity in which he or she is signing beneath or opposite his or her signature. A person signing on behalf of a business entity must set forth the name of the business entity, its relationship to the business trust (e.g., trustee), the individual's printed name and the capacity in which he or she is signing on behalf of the business entity. See § 13.1-1202 of the Code of Virginia.

It is a Class 1 misdemeanor for any person to sign a document he or she knows is false in any material respect with intent that the document be delivered to the Commission for filing. See § 13.1-1205 of the Code of Virginia.

IMPORTANT: The application must be submitted to the Clerk of the Commission **with a certified or otherwise authenticated copy of the business trust's articles of trust** or other constituent documents, **and** all amendments, corrections and mergers thereto, filed in the foreign business trust's state or other jurisdiction of formation, **authenticated within the past 12 months under the original signature and seal of the Secretary of State** or official having custody of business trust records in the state or other jurisdiction of its formation. The certificate of the Secretary of State or other public official having custody of business trust records **must indicate that the copy of the articles is a "true and correct copy" of the official records, or words to that effect.** A Certificate of Existence/Fact/Good Standing is **not** sufficient or acceptable. See § 13.1-1042 of the Code of Virginia.

Submit the original, signed application **and** the certified copy of the business trust's articles, as amended, to the Clerk of the State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218-1197, (Street address: 1300 East Main Street, Tyler Building, 1st Floor, Richmond, Virginia 23219), along with a check for the filing fee in the amount of **\$100.00**, payable to the State Corporation Commission. **PLEASE DO NOT SEND CASH.** If you have any questions, please call (804) 371-9733 or toll-free in Virginia, (866) 722-2551.