

69U-162.007 Records.

(1) Each family trust company and licensed family trust company shall maintain a principal office physically located in this state where original or true copies of all records and accounts of the family trust company or licensed family company may be accessed and made readily available for examination or inspection by the Office.

(2) The records and accounts maintained shall include the following:

- (a) Account information and statements relating to the minimum capital account requirements of section 662.132(1), F.S.;
- (b) Account information and statements relating to any corporate investments not included under paragraph (2)(a), above;
- (c) All records and accounting related to the trust company's service in a fiduciary capacity, segregated as required under section 662.127, F.S.;
- (d) General ledgers;
- (e) Balance sheet and income statements;
- (f) Operating accounts;
- (g) Any audits prepared under section 662.141(2), F.S.;
- (h) Records of real and personal property owned or leased by the licensed family trust company;
- (i) All applicable state and local business licenses, charters, or permits;
- (j) The names and residence addresses of all stockholders or members of the trust company and the number of shares of stock or membership units held by each, as well as the ownership percentage of each stockholder or member;
- (k) The articles of incorporation (or Articles of Organization, Certificate of Incorporation, Certificate of Formation, or Certificate of Organization pursuant to section 662.123, F.S.), including all amendments and restatements;
- (l) The bylaws or operating agreement, including all amendments;
- (m) Organizational chart or charts;
- (n) A current list of all family members which states how each family member qualifies as a family member as defined in section 662.111, F.S.;
- (o) A current genealogical chart or table that includes and identifies all family members;
- (p) A current list of all current or former employees to whom family trust company services are provided and which states how each such employee or former employee qualifies under section 662.111(12)(d), F.S., to receive such services;
- (q) All personnel records;
- (r) Current fidelity bond policies required under section 662.126(1), F.S., for licensed family trust companies;
- (s) Current errors and omissions insurance policies required under section 622.126(4), F.S., for licensed family trust companies;
- (t) A list identifying all affiliates;
- (u) A list identifying all third-party service providers and the services provided;
- (v) Copies of all license and renewal applications and exhibits submitted to the Office;
- (w) The addresses of any branch offices; and,
- (x) All other books of account and other records that relate to the company's operations in the form in which they are ordinarily maintained in the course of the company's business.

(3) Each family trust company or licensed family trust company may maintain other records not required by this rule, but such records shall be made readily available for examination or inspection by the Office.

(4) Each foreign licensed family trust company shall maintain, at its principal place of operations physically located in this state, the records below pertaining to its operations and business conducted in Florida:

- (a) All records and accounting related to the trust company's service in a fiduciary capacity;
- (b) Records of real and personal property owned or leased by the foreign licensed family trust company;
- (c) All applicable state and local business licenses, charters, or permits;
- (d) Organization chart or charts;
- (e) All personnel records;
- (f) A list of all third-party service providers and the services provided;
- (g) The addresses of any branch offices; and,
- (h) All other books of account and other records that relate to the company's operations in the form in which they are ordinarily maintained in the course of the company's business.

Rulemaking Authority 662.140 FS. Law Implemented 662.1225, 662.123, 662.124, 662.125(1), (2), 662.126, 662.127, 662.130, 662.131, 662.134, 662.141(3), (4), 662.142, 662.143, 662.145, 662.147(1) FS. History—New 11-19-15, Amended 12-26-16.