

**RULES
OF
THE TENNESSEE DEPARTMENT OF STATE
DIVISION OF BUSINESS SERVICES**

**CHAPTER 1360-08-05
UNIFORM COMMERCIAL CODE
SEARCH REQUESTS AND REPORTS**

TABLE OF CONTENTS

1360-08-05-.01	General Requirements	1360-08-05-.04	Search Methodology
1360-08-05-.02	Search Requests–Required Information	1360-08-05-.05	Changes in Standard Search Logic
1360-08-05-.03	Search Requests–Optional Information	1360-08-05-.06	Search Responses

1360-08-05-.01 GENERAL REQUIREMENTS. The filing officer maintains for public inspection a searchable index for all active records in the UCC information management system. Active records will be retrievable by the name of the debtor or by the file number of the related initial financing statement, and each active record related to an initial financing statement can be retrieved with the initial financing statement using either retrieval method.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-523(c), and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.
Administrative History: Original rule filed October 23, 2000; effective January 6, 2001. Repeal and new rule filed March 19, 2013; effective June 17, 2013.

1360-08-05-.02 SEARCH REQUESTS–REQUIRED INFORMATION. Search requests shall include the following:

- (1) Name Searched. A search request must set forth the name of the debtor to be searched using designated fields for organization or individual first, middle, and last names. A search request will be processed using the data and designated fields exactly as submitted, including the submission of no data in a given field, without regard to the nature or character of the debtor that is the subject of the search.
- (2) Requesting Party. The request shall include the name and address of the person to whom the search results are to be sent.
- (3) Fee. The appropriate fee shall be tendered by a method described in Rule 1360-08-01-.07.
- (4) Search Logic. The request shall specify if a search methodology other than that described in Rule 1360-08-05-.04(1) is to be applied in conducting the search. If no such methodology is specified, the one described in Rule 1360-08-05-.04(1) shall be applied.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-523(c), and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.
Administrative History: Original rule filed October 23, 2000; effective January 6, 2001. Repeal and new rule filed March 19, 2013; effective June 17, 2013.

1360-08-05-.03 SEARCH REQUESTS–OPTIONAL INFORMATION. Search requests may include the following:

- (1) Copies. The request may limit the copies of the UCC records that would normally be provided with a search report by requesting that no copies be provided or that the first page of each copy be provided.
- (2) Scope of Search. A search request may ask for a search that reports active records or unexpired records.

(Rule 1360-08-05-.03, continued)

- (3) Mode of Delivery. A search request may specify a mode of delivery for search results, and that request will be honored if the requested mode is made available by the filing office and all requisite fees are tendered.
- (4) Search Request with Filing. If a filer requests a search at the time an initial financing statement is filed by submitting a search request with the initial financing statement at the time it is tendered for filing, the search request shall be deemed to request a search to be conducted as soon as practicable such that it would include all UCC records filed against the debtor name(s) provided on the initial financing statement on or prior to the date and time the initial financing statement is filed.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-523(c), and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.

Administrative History: Original rule filed October 23, 2000; effective January 6, 2001. Repeal and new rule filed March 19, 2013; effective June 17, 2013.

1360-08-05-.04 SEARCH METHODOLOGY. Search results are produced by the application of search logic to the name presented to the filing officer. Human judgment does not play a role in determining the results of the search.

- (1) Standard Search Logic. The following rules describe the filing office's standard search logic and apply to all searches except for those where the search request specifies that a non-standard search logic be used:
 - (a) There is no limit to the number of matches that may be returned in response to the search criteria.
 - (b) No distinction is made between upper and lower case letters.
 - (c) The character "&" (the ampersand) is deleted and replaced with the characters "and" each place it appears in the name.
 - (d) Punctuation marks and accents are disregarded. For the purposes of this rule, punctuation marks and accents include all characters other than the numerals 0 through 9 and the letters A through Z (in any case) of the English alphabet.
 - (e) The following words and abbreviations at the end of an organization name that indicate the existence or nature of the organization are "disregarded" to the extent practicable as determined by the filing office's programming of its UCC information management system:
 - i. Agency
 - ii. Association
 - iii. Assn
 - iv. Associates
 - v. Assc
 - vi. Assoc
 - vii. Attorneys at Law

(Rule 1360-08-05-.04, continued)

- viii. Bank
- ix. National Bank
- x. Business Trust
- xi. Charter
- xii. Chartered
- xiii. Company
- xiv. Co
- xv. Corporation
- xvi. Corp
- xvii. Credit Union
- xviii. CU
- xix. Federal Savings Bank
- xx. FSB
- xxi. General Partnership
- xxii. Gen part
- xxiii. GP
- xxiv. Incorporated
- xxv. Inc
- xxvi. Limited
- xxvii. Ltd
- xxviii. Ltee
- xxix. Limited Liability Company
- xxx. LC
- xxxi. LLC
- xxxii. Limited Liability Partnership
- xxxiii. LLP
- xxxiv. Limited Partnership
- xxxv. LP

(Rule 1360-08-05-.04, continued)

- xxxvi. Medical Doctors Professional Association
- xxxvii. MDPA
- xxxviii. Medical Doctors Professional Corporation
- xxxix. MDPC
- xl. National Association
- xli. NA
- xlii. Partners
- xlili. Partnership
- xliv. Professional Association
- xlv. Prof Assn
- xlvi. PA
- xlvii. Professional Corporation
- xlviii. Prof Corp
- xlix. PC
- I. Professional Limited Liability Company
- li. Professional Limited Liability Co
- lii. PLLC
- liii. Railroad
- liv. RR
- Iv. Real Estate Investment Trust
- Ivi. REIT
- Ivii. Registered Limited Liability Partnership
- Iviii. RLLP
- lix. Savings Association
- lx. SA
- Ixi. Service Corporation
- Ixii. SC

(Rule 1360-08-05-.04, continued)

- lxiii. Sole Proprietorship
 - lxiv. SP
 - lxv. SPA
 - lxvi. Trust
 - lxvii. Trustee
 - lxviii. As Trustee.
- (f) The word “the” at the beginning of an organization debtor name is disregarded.
- (g) All spaces are disregarded.
- (h) For first and middle names of individual debtor names, initials are treated as the logical equivalent of all names that begin with such initials, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for “John A. Smith” would cause the search to retrieve all filings against all individual debtors with “John” or the initial “J” as the first name, “Smith” as the last name, and the initial “A” or any name beginning with “A” in the middle name field. This search will not return the name “Jon A. Smith” or “Jonathan A. Smith.” If the search request were for “John Smith” (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with “John” or the initial “J” as the first name, “Smith” as the last name, and any name or initial or no name or initial in the middle name field. This search will not return the name “Jon Smith” or “Jonathan Smith.”
- (i) If the name being searched is the last name of an individual debtor name without any first or middle name provided, the search will retrieve from the UCC information management system all financing statements with individual debtor names that include the last name.
- (j) After using the preceding rules to modify the name being searched, the search will retrieve from the UCC information management system all unexpired records, or, if requested by the searcher, all active records that pertain to financing statements with debtor names that, after being modified as provided in this rule, exactly match the modified name being searched.
- (k) Additional search criteria include:
- i. Filter by debtor city or state.
 - ii. Filter by secured party.
 - iii. Filter by a particular date range.
 - iv. Filter for a specific UCC file number.
- (2) Non-Standard Search Logic. The following non-standard search logic options may be requested on a search request and will be applied when requested:
- (a) The debtor search can be restricted to return only debtors in a specified city or state.

(Rule 1360-08-05-.04, continued)

- (b) A secured party search can be requested based on secured party name and optional city/state.
- (c) A search can be performed based solely on a UCC file number.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-523(c), and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.

Administrative History: Original rule filed October 23, 2000; effective January 6, 2001. Repeal and new rule filed March 19, 2013; effective June 17, 2013.

1360-08-05-.05 CHANGES IN STANDARD SEARCH LOGIC. If the filing office changes its standard search logic or the implementation of its standard search logic in a manner that could alter search results, the filing office will provide public notice of such change.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-523, and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.

Administrative History: Original rule filed October 23, 2000; effective January 6, 2001. Repeal and new rule filed March 19, 2013; effective June 17, 2013.

1360-08-05-.06 SEARCH RESPONSES. Responses to a search request shall include the following:

- (1) Copies. Copies of all UCC records retrieved by the searcher unless the searcher requests only partial copies or the searcher does not request copies.
- (2) Introductory Information. A filing officer shall include the following information with a UCC search response:
 - (a) Filing Office Identification. Identification of the filing office responsible for the search response.
 - (b) Unique Search Report Identification Number. Unique number which identifies the search report.
 - (c) Report Date and Time. The date and time the report was generated.
 - (d) Through Date and Time. The date and time at or prior to which a UCC record must have been filed with the filing office in order for it to be reflected on the search.
 - (e) Certification Language. The certification language reads as follows: "Pursuant to the request you submitted, a search was conducted based on the search criteria listed below. I, Tre Hargett, Secretary of State of the State of Tennessee, do hereby certify that the information outlined below along with the copies which are attached to this cover sheet constitute the certified copies of all UCC filings based on the search criteria."
 - (f) Scope of Search. The scope of search includes active records and unexpired records.
 - (g) Search Logic Used. The search logic used is the search logic recommended by the International Association of Commercial Administrators, which may be modified from time to time.
 - (h) Name Provided. Name as provided by searcher.
 - (i) Copies. If requested, all copies, first pages only, or date range of UCC documents revealed by the search.
- (3) Report. The search report shall contain the following:

(Rule 1360-08-05-.06, continued)

- (a) Identification. Identification of the filing office responsible for the search report.
- (b) Search Report Identification Number. Unique number assigned under Rule 1360-08-05-.06(2)(b).
- (c) Identification of Financing Statement. Identification of each initial financing statement, including a listing of all related amendments and Information Statements (Statements of Claim), filed on or prior to the through date corresponding to the search criteria (including whether the searcher has requested active records or only unexpired records). Financing statement information shall include, but is not limited to, the following:
 - i. Initial Financing Statement File Number.
 - ii. Initial Financing Statement Filing Date and Time. The date and time it was filed.
 - iii. Lapse Date.
 - iv. Debtor Name. The debtor name(s) that appear(s) of record.
 - v. Debtor Address. The debtor address(es) that appear(s) of record.
 - vi. Secured Party Name. The secured party name(s) that appear(s) of record.
 - vii. Secured Party Address. The secured party address(es) that appear(s) of record.
 - viii. Amendment Type. An indication of type of each amendment, if any.
 - ix. Amendment Filing Date and Time. The date and time each amendment, if any, was filed.
 - x. Amendment Filing Number. The amendment file number of each amendment, if any.
 - xi. Information Statement (Statement of Claim). The date and time a correction statement, if any, was filed.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 47-9-519, and 47-9-526 and 2012 Tenn. Pub. Acts Ch. 708.
Administrative History: Original rule filed March 19, 2013; effective June 17, 2013.