



## **FILING A BUSINESS CERTIFICATE**

(Mass. General Laws, Chapter 110, Section 5)

### **WHO MUST FILE?**

A business certificate is also called a d/b/a, which stands for “doing business as.”

Any person, whether individually or as a partnership, conducting business under any title other than the complete real name of the owner(s) must file a business certificate.

Any corporation doing business in a name other than its corporate name must also file. The certificate must be completed and filed by a corporate officer.

### **WHO DOES NOT HAVE TO FILE?**

You do not have to file a d/b/a when you are doing business as a sole proprietor under your own complete name, such as John Smith Company, or if you are incorporated and are doing business under the true incorporated name.

### **WHAT DOES IT DO?**

A business certificate primarily allows consumers and/or creditors to identify the names of the actual owners of a business. This information is a public record and is furnished to the Massachusetts Department of Revenue under the authority of Mass. G.L. 62C, S 49a.

### **WHAT DOESN'T IT DO?**

Your filing of a business certificate at the local Town Clerk's office does **NOT** protect your name or reserve it as does a corporate filing or a trademark registration (which is done through the State). It also does not give you permission to operate a business in the town – it only registers your name. In order to legally operate a business in the town you must get the appropriate permits, licenses, variances, etc., that are required by the issuing departments of the town.

### **WHERE DOES ONE FILE?**

File with the Town Clerk, either in person or by mail, in every city or town where an office of said business may be situated. If filed by mail, the signature(s) of all partners must be notarized; if filed in person, all partners must be present, or the signatures of any missing partners must be notarized.

### **WHAT ABOUT A CHANGE?**

Upon discontinuing, retiring or withdrawing from such business, or in the case of a change of residence of such person or of the location where the business is conducted, a form must be filed with the office of the Town Clerk.

### **DOES A BUSINESS CERTIFICATE EXPIRE?**

A business certificate is in full force and effect for four (4) years from the date of issue. A new filing must be made every four years as long as the business is being conducted.

### **DOES THE CERTIFICATE HAVE TO BE DISPLAYED?**

No. However, you must provide a copy upon request.

### **FEES**

Business Certificate Filing	\$30.00
Withdrawal, Discontinuance, Change, etc.	No Charge
Additional Certified Copies of Business Certificate	\$10.00 per copy

### **FILING**

Complete application form, sign and mail or deliver with a check payable to the Town of Lancaster to:

Town Clerk's Office  
701 Main Street, Suite 2  
Lancaster, MA 01523  
(978) 365-3326 ext. 1013

### **PENALTIES**

Violators of these provisions shall be subject to a fine of not more than three hundred (\$300.00) dollars for each month during which said violation continues.