

ORDER SUMMARY – Case Number: C-22-3261

Name: Advance America Cash Advance Centers of Washington, LLC
Order Number: C-22-3261-22-CO01
Effective Date: September 23, 2022
License Number: NMLS No. 1136446
License Effect: Surrendered
Not Apply Until: 09/23/2024
Not Eligible Until: NA
Prohibition/Ban Until: NA

Investigation Costs	\$ 500.00	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$ 10,000.00		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$ NA		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$ NA		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Financial Literacy and Education	\$ NA		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Cost of Prosecution	\$ NA		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

Comments:

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

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IN THE MATTER OF DETERMINING
Whether there has been a violation of the Check
Cashers and Sellers Act of Washington by:

No.: C-22-3261-22-CO01

CONSENT ORDER

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ADVANCE AMERICA CASH ADVANCE
CENTERS OF WASHINGTON, LLC,
NMLS # 1136446,

Respondent.

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COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Lucinda Fazio, Division of Consumer Services Director, and Advance America Cash
Advance Centers of Washington, LLC (Respondent) and finding that the issues raised in the above-
captioned matter may be economically and efficiently settled, agree to the entry of this Consent
Order. This Consent Order is entered pursuant to chapter 31.45 of the Revised Code of Washington
(RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and
Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges
No. C-22-3261-22-SC01 (Statement of Charges), entered April 5, 2022 (copy attached hereto).
Pursuant to chapter 31.45 RCW, the Check Cashers and Sellers Act (Act), and RCW 34.05.060 of the
Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent
Order and further agrees that the issues raised in the above-captioned matter may be economically
and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully
resolve the Statement of Charges.

Based upon the foregoing:

CONSENT ORDER
C-22-3261-22-CO01
ADVANCE AMERICA CASH ADVANCE CENTERS OF
WASHINGTON, LLC

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 **A. Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter
2 of the activities discussed herein.

3 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a
4 hearing before an administrative law judge, and hereby waive its right to a hearing and any and all
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached
6 herein. Accordingly, Respondent, by the signature of its representative below, withdraws its appeal
7 to the Office of Administrative Hearings.

8 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the
9 matters alleged herein and agree that Respondent neither admits nor denies any wrongdoing by its
10 entry.

11 **D. Check Casher with Small Loan Endorsement License Application Surrender.** It is
12 AGREED that Respondent's Check Casher with Small Loan Endorsement number license is
13 surrendered

14 **E. Application for License.** It is AGREED that, for a period of two years from the date of
15 entry of this Consent Order, Respondent shall not apply to the Department for a Check Casher with
16 Small Loan Endorsement license. It is further AGREED that, should Respondent apply to the
17 Department for any license under any name at any time later than two years from the date of entry of
18 this Consent Order, Respondent shall be required to meet any and all application requirements in
19 effect at that time.

20 **F. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
21 \$10,000.00.

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/s/

Lucinda Fazio, Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

/s/

ANDRES E. BATISTA
Financial Legal Examiner

Approved by:

/s/

JACK McCLELLAN
Enforcement Chief

1 **II. GROUNDS FOR ENTRY OF ORDER**

2 **2.1 Requirement to Maintain Surety Bond.** Based on the Factual Allegations set forth in
3 Section I above, Respondent is in apparent violation of RCW 31.45.030(5), WAC 208.630.180, and
4 WAC 208.630.190 for failing to maintain a surety bond or approved alternative with the Department.

5 **III. AUTHORITY TO IMPOSE SANCTIONS**

6 **3.1 Authority to Revoke License.** Pursuant to RCW 31.45.110(2)(a), the Director may revoke a
7 license if a licensee is violating or has violated the Act including rules and orders, or commits any act
8 or engages in conduct that demonstrates incompetence or untrustworthiness, or is a source of injury
9 or loss to the public.

10 **3.2 Authority to Remove and Ban from the Industry.** Pursuant to RCW 31.45.110(2)(e), the
11 Director may remove from office or ban from participation in the conduct of the affairs of any
12 licensee any director, officer, sole proprietor, partner, controlling person, or employee of a licensee
13 that is violating or has violated the Act including rules and orders, or commits any act or engages in
14 conduct that demonstrates incompetence or untrustworthiness, or is a source of injury or loss to the
15 public.

16 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.45.110(2)(c), the Director may impose a
17 fine, not to exceed one hundred dollars per day for each day’s violation of the Act, on any licensee or
18 applicant, or any director, officer, sole proprietor, partner, controlling person, or employee of a
19 licensee or applicant, that is violating or has violated the Act.

20 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 31.45.050(1), RCW 31.45.100,
21 WAC 208-630-360, and WA 208-630-380, the Director shall collect from the licensee the actual cost
22 of an examination or investigation of the business, books, accounts, records, files, or other
23 information of a licensee or person who the Director has reason to believe is engaging in the business

1 governed by the Act. The investigation charge will be calculated at the rate of \$69 per person per
2 hour expended to the investigation, plus actual expenses.

3 **IV. NOTICE OF INTENT TO ENTER ORDER**

4 Respondent's violations of the provisions of chapter 31.45 RCW and chapter 208-630 WAC, as set
5 forth in the above Factual Allegations and Grounds for Entry of Order, constitute a basis for the entry
6 of an Order under RCW 31.45.110 and RCW 31.45.200. Therefore, it is the Director's intent to
7 ORDER:

- 8 **4.1** Respondent Advance America Cash Advance Centers of Washington, LLC's license
9 to conduct the business of a check casher and check seller with a small loan
10 endorsement, be revoked;
- 11 **4.2** Respondent Advance America Cash Advance Centers of Washington, LLC be
12 prohibited from participation in the conduct of the affairs of any check casher or seller
13 in the state of Washington for a period of five years;
- 14 **4.3** Respondent Advance America Cash Advance Centers of Washington, LLC pay a fine
15 in the amount of \$18,000; and
- 16 **4.4** Respondent Advance America Cash Advance Centers of Washington, LLC pay an
17 investigation fee in the amount of \$500.

18 **V. AUTHORITY AND PROCEDURE**

19 This Statement of Charges and Notice of Intent to Enter an Order TO REVOKE LICENSE,
20 PROHIBIT FROM INDUSTRY, IMPOSE FINE, AND COLLECT INVESTIGATION FEE
21 (Statement of Charges) is entered pursuant to the provisions of RCW 31.45.110 and RCW
22 31.45.200, and is subject to the provisions of chapter 34.05 RCW (the Administrative Procedure
23 Act). Respondent may make a written request for a hearing as set forth in the NOTICE OF
24 OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND accompanying this
Statement of Charges.

Dated this 5th day of April, 2022.



/s/
Lucinda Fazio, Director
Division of Consumer Services Department
of Financial Institutions

1 Presented by:

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/s/

5 ANDRES E. BATISTA
6 Financial Legal Examiner

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