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

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

NO. C-08-215-08-CO01

CONSENT ORDER

CASH IN ADVANCE, INC.,  
JOHN W. GRIFFIN,  
President and 50% Owner, and  
HURSELL ALAN DASHER,  
Vice President and 50% Owner,

Respondents.

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COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Cash In Advance, Inc., (hereinafter Respondent Cash in Advance), John W. Griffin, President and 50% owner (hereinafter Respondent Griffin), and Hurshell Alan Dasher, Vice President and 50% owner (hereinafter Respondent Dasher), and finding that the issues raised in the 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 Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

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**AGREEMENT AND ORDER**

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The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-08-215-08-SC01 (Statement of Charges), entered August 8, 2008, (copy attached hereto). Pursuant to chapter 31.45 RCW, the Check Cashers and Sellers Act (Act) and RCW 34.05.060 of the Administrative

CONSENT ORDER  
C-08-215-08-SC01  
CASH IN ADVANCE, INC.,  
JOHN W. GRIFFIN, and  
HURSELL ALAN DASHER

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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 Procedure Act, Respondents hereby agree to the Department's entry of this Consent Order and further  
2 agree that the issues raised in the above captioned matter may be economically and efficiently settled by  
3 entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of  
4 Charges and agree that Respondents do not admit any wrongdoing by its entry. Respondents are agreeing  
5 not to contest the Statement of Charges in consideration of the terms of this Consent Order.

6 Based upon the foregoing:

7  
8 **A. Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of  
9 the activities discussed herein.

10 **B. Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a  
11 hearing before an administrative law judge, and that they have waived their right to a hearing and any and  
12 all administrative and judicial review of the issues raised in this matter, or of the resolution reached  
13 herein. Accordingly, Respondents agree to withdraw their appeal and to inform the Office of  
14 Administrative Hearings in writing of their withdrawal.

15 **C. License Surrender.** It is AGREED that the Department will accept the voluntary surrender  
16 of Respondents' license.

17 **D. Late Penalty.** It is AGREED that Respondents shall pay \$256.97 to the Department as a  
18 penalty for the late filing of Respondents' 2007 Annual Financial Reports. Payment shall be in the form  
19 of a cashier's check made payable to the "Washington State Treasurer" upon entry of this Consent Order.  
20

21 **E. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an  
22 investigation fee of \$690, in the form of a cashier's check made payable to the "Washington State  
23 Treasurer," upon entry of this Consent Order. The late penalty set forth in section D and the investigation  
24 fee may be combined in one cashier's check made payable to the "Washington State Treasurer."  
25

1 F. **Agreement not to Apply.** It is AGREED that Respondents shall not conduct any business  
2 subject to licensing under the Act and shall not apply for any license issued by the Department pursuant  
3 to the Act for a period of five years following the date of this Consent Order.

4 G. **Records Retention.** It is AGREED that Respondents shall retain records as required by the  
5 Act.

6 H. **Non-Compliance with Order.** It is AGREED that Respondents understand that failure to  
7 abide by the terms and conditions of this Consent Order may result in further legal action by the  
8 Director. In the event of such legal action, Respondents may be responsible to reimburse the Director  
9 for the cost incurred in pursuing such action, including but not limited to, attorney fees.

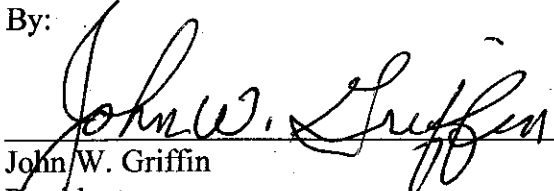
10 I. **Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily  
11 entered into this Consent Order, which is effective when signed by the Director's designee.

12 J. **Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read  
13 this Consent Order in its entirety and fully understand and agree to all of the same.  
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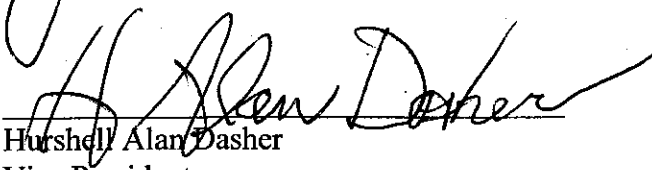
15  
16 **RESPONDENTS:**

17 **Cash in Advance, Inc.**

18  
19 By:

20   
21 John W. Griffin  
22 President

20 11-8-08  
21 Date

22   
23 Hurshell Alan Dasher  
24 Vice President

22 11-8-08  
23 Date

1 John W. Griffin  
2  
3 John W. Griffin  
Individually

11-9-08  
Date

4 Hurshell Alan Dasher  
5  
6 Hurshell Alan Dasher  
Individually

11-8-08  
Date

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9 **DO NOT WRITE BELOW THIS LINE**

10 THIS ORDER ENTERED THIS 3rd DAY OF December, 2008.



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Deborah Bortner  
DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

21 Presented by:

22  
23 Steven C. Sherman  
24 STEVEN C. SHERMAN  
Financial Legal Examiner

25 Approved by:

James R. Brusselback  
JAMES R. BRUSSELBACK  
Enforcement Chief

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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-08-215-08-SC01

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CASH IN ADVANCE, INC.,  
JOHN W. GRIFFIN,  
President and 50% Owner, and  
HURSELL ALAN DASHER,  
Vice President and 50% Owner,

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STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
AN ORDER TO REVOKE LICENSE, IMPOSE  
FINE, BAN FROM INDUSTRY, AND COLLECT  
INVESTIGATION FEE

Respondents.

**INTRODUCTION**

Pursuant to RCW 31.45.110 and RCW 31.45.200, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.45 RCW, the Check Cashers and Sellers Act (Act). After having conducted an investigation pursuant to RCW 31.45.100, and based upon the facts available as of the date of these charges, the Director institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

A. **Cash In Advance, Inc., (Cash In Advance)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a check casher with a small loan endorsement on March 14, 1996. Respondent Cash In Advance's license was suspended effective April 25, 2008, based upon Respondent's failure to pay its annual assessment fee by April 15, 2008. Respondent Cash In Advance's license expired on April 28, 2008, because Respondent failed to pay its annual assessment by that date. Respondent Cash In Advance was licensed to conduct the business of a check casher with a small loan endorsement at two locations in Washington State – Bremerton and Lakewood.

B. **John W. Griffin (Griffin)** is President and 50% owner of Respondent Cash In Advance.

C. **Hurshell Alan Dasher (Dasher)** is Vice President and 50% owner of Respondent Cash In Advance.

1 **1.2 Failure to File Annual Financial Reports and Pay Annual Assessment.** For licensees on a calendar  
2 year, an Annual Assessment Worksheet and Consolidated Annual Report, as well as the annual assessment  
3 calculated thereon, are due to the Department within one hundred five days after the close of each calendar  
4 year, concerning the business and operations of each licensed place of business conducted during the preceding  
5 calendar year. To date, Respondents, who were on a calendar year, have not provided the calculation worksheet  
6 or paid the annual assessment fee for calendar year 2007, which was due by April 14, 2008.

7 **1.3 Failure to File Closing Audit Report.** On or about April 18, 2008, Respondents' license was  
8 suspended because they did not timely pay their annual assessment. Respondents were required to file a closing  
9 audit report within one hundred five days of the effective date of the suspension of their license. To date,  
10 Respondents have not filed a closing audit report.

11 **1.4 Failure to Comply with Director's Authority.** On May 13, 2008, the Department issued a Directive  
12 to Respondents which required Respondents to provide certain information and documents on or before May  
13 23, 2008. To date, Respondents have not responded to the Directive.

14 **1.5 Failure to Notify Department of the Closure of an Existing Place of Business.** On or about April  
15 15, 2008, Respondents closed their two business locations in Washington without providing notice to the  
16 Department.

17 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the Act by  
18 Respondents continues to date.

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

20 **2.1 Requirement to File Annual Financial Reports.** Based on the Factual Allegations set forth in Section  
21 I above, Respondents are in apparent violation of RCW 31.45.090(1) and WAC 208-630-830 for failing to  
22 provide annual financial reports to the Director on or before April 14, 2008.

23 **2.2 Requirement to Pay Annual Assessment.** Based on the Factual Allegations set forth in Section I  
24 above, Respondents are in apparent violation of RCW 31.45.050(1) and WAC 208-630-400 for failing to pay  
25 to the Director an annual assessment fee no later than April 14, 2008.

1 **2.3 Requirement to File Closing Audit Report.** Based on the Factual Allegations set forth in Section I  
2 above, Respondents are in apparent violation of RCW 31.45.090(2) and WAC 208-630-890 for failing to file a  
3 closing audit report no later than August 1, 2008.

4 **2.4 Requirement to Comply with Director's Authority.** Based on the Factual Allegations set forth in  
5 Section I above, Respondents are in apparent violation of RCW 31.45.100 and WAC 208-630-370 for failing to  
6 respond to a Directive issued by the Director.

7 **2.5 Requirement to Notify Department of the Closure of an Existing Place of Business.** Based on the  
8 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW 31.45.050(3) for  
9 failing to notify the Director in writing at least thirty days prior to closing an existing place of business.

### 10 III. AUTHORITY TO IMPOSE SANCTIONS

11 **3.1 Authority to Revoke License.** Pursuant to RCW 31.45.110(1)(b) and (2)(a), the Director may revoke  
12 a license if a licensee is violating or has violated the Act or rules promulgated thereunder.

13 **3.2 Authority to Impose Fine.** Pursuant to RCW 31.45.110(1)(b) and (2)(c), the Director may impose a  
14 fine, not to exceed one hundred dollars per day for each day's violation of the Act, on any licensee or applicant,  
15 or any director, officer, sole proprietor, partner, controlling person, or employee of a licensee or applicant, that  
16 is violating or has violated the Act or rules promulgated thereunder.

17 **3.3 Authority to Ban from the Industry.** Pursuant to RCW 31.45.110(1)(b) and (2)(e), the Director may  
18 remove from office or ban from participation in the conduct of the affairs of any licensee any director, officer,  
19 sole proprietor, partner, controlling person, or employee of a licensee that is violating or has violated the Act or  
20 rules promulgated thereunder.

21 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 31.45.050(1), RCW 31.45.100, and WAC 208-  
22 630-380, the Director shall collect from the licensee the actual cost of an investigation of a licensee. The  
23 investigation charge will be calculated at the rate of \$69 per hour for each hour that each staff person devoted to the  
24 investigation, plus actual expenses.

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1 **IV. NOTICE OF INTENTION TO ENTER ORDER**

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

5 **4.1** Respondent Cash In Advance, Inc.'s license to conduct the business of a check casher with a small loan  
6 endorsement be revoked; and

7 **4.2** Respondents Cash In Advance, Inc., John W. Griffin, and Hurshell Alan Dasher jointly and severally pay a  
8 fine which as of the date of these charges totals \$20,000; and

9 **4.3** Respondents John W. Griffin, and Hurshell Alan Dasher be banned from participation in the conduct of  
10 the affairs of any check casher or check casher with a small loan endorsement or check seller subject to licensure by  
11 the Director, in any manner, for a period of five years; and

12 **4.4** Respondents Cash In Advance, Inc., John W. Griffin, and Hurshell Alan Dasher jointly and severally pay  
13 an investigation fee which as of the date of these charges totals \$690, calculated at \$69 per hour for the ten staff  
14 hours devoted to the investigation; and

15 **4.5** Respondents Cash In Advance, Inc., John W. Griffin, and Hurshell Alan Dasher maintain records in  
16 compliance with the Act and provide the Director with the location of the books, records, and other information  
17 relating to Respondent s' check casher with a small loan endorsement business, and the name, address, and  
18 telephone number of the individual responsible for maintenance of such records in compliance with the Act.  
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**V. AUTHORITY AND PROCEDURE**

This Statement of Charges and Notice of Intention to Enter an Order to Revoke License, Impose Fine, Prohibit from Industry, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the provisions of RCW 31.45.110 and RCW 31.45.200, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

Dated this 8<sup>th</sup> day of August, 2008.


  
DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

  
STEVEN C. SHERMAN  
Financial Legal Examiner



Approved by:

  
JAMES R. BRUSSELBACK  
Enforcement Chief