

**ORDER SUMMARY – Case Number: C-10-450**

**Name(s):** Brett Galliher  
 \_\_\_\_\_  
 \_\_\_\_\_

**Order Number:** C-10-450-12-CO01  
 \_\_\_\_\_

**Effective Date:** May 15, 2012  
 \_\_\_\_\_

**License Number:** N/A  
**Or NMLS Identifier [U/L]** .

**License Effect:**  
 \_\_\_\_\_  
 \_\_\_\_\_

**Not Apply Until:**  
 \_\_\_\_\_

**Not Eligible Until:**  
 \_\_\_\_\_

**Prohibition/Ban Until:** Two years from date of entry  
 \_\_\_\_\_

<b>Investigation Costs</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments: Note that this Consent Order is only with Mr. Galliher individually. See C-10-450-11-FO01 for the Final order related to Honey Bee Enterprises, LLC  
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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:  
  
HONEY BEE ENTERPRISES, LLC and  
BRETT GALLIHER, Manager,  
Respondents.

No.: C-10-450-12-CO01  
  
CONSENT ORDER  
BRETT GALLIHER

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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 Brett Galliher,  
(Respondent Galliher), 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:

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**AGREEMENT AND ORDER**

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The Department of Financial Institutions, Division of Consumer Services (Department) and  
Respondent Galliher have agreed upon a basis for resolution of the matters alleged in Statement of  
Charges No. C-10-450-11-SC01 (Statement of Charges), entered August 18, 2011, (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 Galliher 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:

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 Galliher has been informed of the  
4 right to a hearing before an administrative law judge, and hereby waives his right to a hearing and  
5 any and all administrative and judicial review of the issues raised in this matter, or of the resolution  
6 reached herein. Accordingly, Respondent Galliher, by his signature below, withdraws his appeal to  
7 the Office of Administrative Hearings.

8           C. **Prohibition from Industry.** It is AGREED that, for a period of two years from the date  
9 of entry of this Consent Order, Respondent Galliher is prohibited from participating in the conduct of  
10 the affairs of any check casher or seller licensed by the Department or subject to licensure or  
11 regulation by the Department.

12           D. **Bankruptcy and Financial Condition.** It is AGREED that Respondent Galliher has filed  
13 for bankruptcy protection. It is AGREED that Respondent Galliher has represented to the  
14 Department that his financial condition prevents him from paying the fines and fees sought in the  
15 Statement of Charges.

16           E. **Non-Compliance with Order.** It is AGREED that Respondent Galliher understands that  
17 failure to abide by the terms and conditions of this Consent Order may result in further legal action  
18 by the Director. In the event of such legal action, Respondent Galliher may be responsible to  
19 reimburse the Director for the cost incurred in pursuing such action, including but not limited to,  
20 attorney fees.

21           F. **Voluntarily Entered.** It is AGREED that the undersigned Respondent Galliher has  
22 voluntarily entered into this Consent Order, which is effective when signed by the Director's  
23 designee.

1 **G. Completely Read, Understood, and Agreed.** It is AGREED that Respondent Galliher

2 has read this Consent Order in its entirety and fully understands and agrees to all of the same.

3 **RESPONDENTS:**

4 [Redacted]

5 Brett Galliher

April 20<sup>th</sup>, 2012  
Date

6 [Redacted]

7 Gregory L. Decker, WSBA No. 9116  
Decker Law Offices  
8 Attorney for Respondents

April 27, 2012  
Date

9 DO NOT WRITE BELOW THIS LINE

10 THIS ORDER ENTERED THIS 15<sup>th</sup> DAY OF May, 2012



11 [Redacted]

12 DEBORAH BORTNER  
13 Director  
14 Division of Consumer Services  
15 Department of Financial Institutions

16 Presented by:

17 [Redacted]

18 ROBERT E. JONES  
19 Financial Legal Examiner

20 Approved by:

21 [Redacted]

22 ~~JAMES R. BRUSSELBACK~~ Charles E Clank  
23 Enforcement Chief

24 CONSENT ORDER  
C-10-450-12-C001  
Brett Galliher

1 STATE OF WASHINGTON  
2 DEPARTMENT OF FINANCIAL INSTITUTIONS  
3 DIVISION OF CONSUMER SERVICES

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

No.: C-10-450-11-SC01

8 HONEY BEE ENTERPRISES, LLC and  
9 BRETT GALLIHER, Manager,

10 STATEMENT OF CHARGES and  
11 NOTICE OF INTENTION TO ENTER AN  
12 ORDER TO BAN FROM INDUSTRY,  
13 IMPOSE FINE, AND COLLECT  
14 EXAMINATION AND INVESTIGATION  
15 FEES

16 Respondents.

17 INTRODUCTION

18 Pursuant to RCW 31.45.110 and RCW 31.45.200, the Director of the Department of Financial  
19 Institutions of the State of Washington (Director) is responsible for the administration of chapter  
20 31.45 RCW, the Check Cashers and Sellers Act (Act). After having conducted an investigation  
21 pursuant to RCW 31.45.100, and based upon the facts available as of the date of this Statement of  
22 Charges, the Director, through his designee, Division of Consumer Services Director Deborah  
23 Bortner, institutes this proceeding and finds as follows:

24 I. FACTUAL ALLEGATIONS

A. Respondents.

B. Honey Bee Enterprises, LLC (Honey Bee Enterprises) 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 and a check seller on or about September 9, 2003.

Respondent Honey Bee Enterprises surrendered its license on or about March 31, 2010.

C. Brett Galliher (Galliher) is the Manager and majority owner of Respondent Honey  
Bee Enterprises.

1 **1.2 Failure to Pay Examination Fee.** On or about August 12 and August 13, 2010, the  
2 Department conducted an examination of the books and records of Respondent Honey Bee  
3 Enterprises pursuant to RCW 31.45.100. On or about September 13, 2010, the Department submitted  
4 an invoice to Respondent Honey Bee Enterprises for the examination fee of \$2,070. The examination  
5 fee was due by October 13, 2010. To date, Respondents have not paid the examination fee.

## 6 **II. GROUNDS FOR ENTRY OF ORDER**

7 **2.1 Requirement to Pay Examination Fee.** Based on Factual Allegations set forth in Section I,  
8 above, Respondents are in apparent violation RCW 31.45.050 and WAC 208-630-350 for failure to  
9 pay an Examination Fee.

## 10 **III. AUTHORITY TO IMPOSE SANCTIONS**

11 **3.1 Authority to Ban from the Industry.** Pursuant to RCW 31.45.110(2)(e), the Director may  
12 remove from office or ban from participation in the conduct of the affairs of any licensee any  
13 director, officer, sole proprietor, partner, controlling person, or employee of a licensee that is  
14 violating or has violated the Act including rules and orders.

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

19 **3.3 Authority to Collect Examination and Investigation Fees.** Pursuant to RCW 31.45.050(1),  
20 RCW 31.45.100, WAC 208-630-015, WAC 208-630-020, WAC 208-630-023 and WAC 208-630-  
21 02303, the Director shall collect from the licensee the actual cost of an examination or investigation  
22 of the business, books, accounts, records, files, or other information of a licensee or person who the  
23 Director has reason to believe is engaging in the business governed by the Act. The investigation

1 charge will be calculated at the rate of sixty-nine dollars per hour that each staff person devoted to the  
2 investigation, plus actual expenses.

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

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

- 8 **4.1** Respondent Honey Bee Enterprises, LLC be banned from participation in the conduct of the  
9 affairs of any check casher or check casher with a small loan endorsement or check seller  
10 subject to licensure by the Director, in any manner, for a period of five years; and  
11  
12 **4.2** Respondent Brett Galliher be banned from participation in the conduct of the affairs of any  
13 check casher or check casher with a small loan endorsement or check seller subject to  
14 licensure by the Director, in any manner, for a period of five years; and  
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16 **4.3** Respondents Honey Bee Enterprises, LLC and Brett Galliher jointly and severally pay a fine  
17 which as of the date of this Statement of Charges totals \$500.  
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19 **4.4** Respondent Honey Bee Enterprises, LLC pay an examination fee plus outstanding accrued  
20 interest, which as of the date of this Statement of Charges totals \$2,268.07.  
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22 **4.5** Respondents Honey Bee Enterprises, LLC and Brett Galliher jointly and severally pay an  
23 investigation fee. As of the date of this Statement of Charges the investigation fee is \$752.10.

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1 **V. AUTHORITY AND PROCEDURE**

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

8  
9 Dated this 18<sup>th</sup> day of August, 2011



10 [Redacted signature]

11 DEBORAH BORTNER  
12 Director  
13 Division of Consumer Services  
14 Department of Financial Institutions

15 Presented by:  
[Redacted signature]

16 ROBERT E. JONES  
17 Financial Legal Examiner

18 Approved by:  
[Redacted signature]

19 JAMES R. BRUSSELBACK  
20 Enforcement Chief