

## Final Order Summary – Case Number: C-14-1450

**Respondent Name:** Voyager Financial Group, LLC

**Order Number:** No.: C-14-1450-20-FO01

**Effective Date:** January 7, 2021

**License Number:** Not Applicable-Unlicensed Business

**Not Apply Until:** 5 years after entry of Final Order

**Not Eligible Until:** 5 years after entry of Final Order

**Prohibition/Ban Until:** 5 years after entry of Final Order

<b>Fine:</b>	\$100,000	Due: 30 days after entry of Final Order	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date:
<b>Restitution/Refunds to Washington Consumers:</b>	\$Refunds Per Appendix A	Due:	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Number of Victims: Ten Washington Consumers</b>				

Comments: In addition to the requirements listed above, Respondent shall immediately cease and desist from making consumer loans to Washington state residents until such time as Respondent obtains a license in accordance with the Act, and Respondent shall be prohibited from participation, in any manner, in the conduct of the affairs of any consumer loan business subject to licensure by the Director under the Act for a period of five years.



**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS**

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

VOYAGER FINANCIAL GROUP, LLC,

Respondent.

No. C-14-1450-20-FO01

FINAL ORDER RE:  
VOYAGER FINANCIAL GROUP, LLC

**I. DIRECTOR'S CONSIDERATION**

Procedural History. This matter has come before the Director of the Department of Financial Institutions of the State of Washington ("Director"), pursuant to RCW 34.05.440. On May 7, 2014, former Director Scott Jarvis, through his designee, former Consumer Services Division Director Deborah Bortner, issued a Statement of Charges and Notice of Intent to Enter an Order to Cease and Desist, Prohibit From Industry, Impose Fine, and Refund Fees and Interest ("Statement of Charges") against Voyager Financial Group LLC ("Respondent"). On May 8, 2014, the Department of Financial Institutions ("Department") served Respondent with the Statement of Charges and accompanying documents, sent by First-Class mail and Federal Express overnight delivery. The Statement of Charges was accompanied by a cover letter dated May 8, 2014, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent.

On May 29, 2014, Respondent filed an Application for Adjudicative Hearing. On July 24, 2014, the Department made a request to the Office of Administrative Hearings ("OAH") to assign an Administrative Law Judge ("ALJ") to schedule and conduct a hearing on the Statement of Charges. On September 3, 2014, OAH issued a Notice of Prehearing Conference ("Notice") scheduling a prehearing conference on Wednesday, September 10, 2014, at 11:00 A.M., and served the Notice on Respondent at the address provided in its Application for Adjudicative Hearing. The Notice stated that, "You must call

1 in to the conference. If you fail to call in, the administrative law judge may hold you in default and  
2 dismiss your appeal. RCW 34.05.440(2)”

3 On September 10, 2014, ALJ Lisa Dublin convened the prehearing conference at approximately  
4 11:00 A.M. Respondent failed to appear for the prehearing conference and the Department moved for an  
5 order of default dismissing the administrative appeal. At approximately 11:15 A.M., ALJ Lisa Dublin  
6 ended the proceeding when no one appeared on behalf of Respondent. On September 18, 2014, ALJ Lisa  
7 Dublin issued an Initial Order of Default Dismissing the Appeal of Voyager Financial Group, LLC for  
8 Failure to Appear (“Order of Dismissal”) dismissing Respondent’s administrative appeal. On September  
9 18, 2014, ALJ Lisa Dublin sent the Order of Dismissal to Respondent via First-Class mail.

10 Pursuant to RCW 34.05.440(3), Respondent had seven (7) days from the date of service of the  
11 Order of Dismissal to file a written motion with OAH requesting that the Order of Dismissal be vacated,  
12 and stating the grounds relied upon. Respondent did not make a request to vacate during the statutory  
13 period.

14 Pursuant to RCW 34.05.464 and WAC 10-08-211, Respondent had twenty (20) days from the  
15 date of service of the Order of Dismissal to file a Petition for Review of the Order of Dismissal.

16 Respondent did not file a Petition for Review during the statutory period.<sup>1</sup>

17 A. Record Presented. The record presented to the Director for his review and for entry of a  
18 final decision included the following:

- 19 1. Statement of Charges, cover letter dated May 8, 2014, and Notice of Opportunity to  
20 Defend and Opportunity for Hearing, with documentation of service.
- 21 2. Application for Adjudicative Hearing for Voyager Financial Group, LLC.
- 22 3. Request to OAH for Assignment of Administrative Law Judge.
- 23 4. Notice of Prehearing Conference Order dated September 3, 2014, with documentation  
24 of service.

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<sup>1</sup> Issuance of this Final Order has been delayed to accommodate federal litigation which has now been completed.

1 5. Initial Order of Default Dismissing the Appeal of Voyager Financial Group, LLC for  
2 Failure to Appear, dated September 18, 2014, with documentation of service.

3 B. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(2), the Director  
4 hereby adopts the Statement of Charges, which is attached hereto.

5 **II. FINAL ORDER**

6 Based upon the foregoing, and the Director having considered the record and being otherwise  
7 fully advised, NOW, THEREFORE:

8 A. IT IS HEREBY ORDERED, That:

- 9 1. Respondent Voyager Financial Group, LLC shall immediately cease and desist from  
10 making consumer loans to Washington state residents until such time as Respondent  
11 obtains a license in accordance with the Act from the Department or qualifies for an  
12 exemption from licensing as delineated in the Act.
- 13 2. Respondent Voyager Financial Group, LLC shall be prohibited from participation, in  
14 any manner, in the conduct of the affairs of any consumer loan business subject to  
15 licensure by the Director under chapter 31.04 RCW for a period of five years.
- 16 3. Respondent Voyager Financial Group, LLC shall pay to the Washington State  
17 Department of Financial Institutions, within thirty (30) days of receipt of this Final  
18 Order, a fine of \$100,000.
- 19 4. Respondent Voyager Financial Group, LLC shall refund all fees and interest to all  
20 Washington borrowers who paid fees or interest in the amounts set forth in Appendix  
21 A of the Statement of Charges and in any additional amount(s) determined at hearing.

22 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition  
23 for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed  
24 in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW,  
Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200,  
within ten (10) days of service of the Final Order upon Respondent. The Petition for Reconsideration  
shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking  
judicial review in this matter.

1 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date  
2 the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written  
3 notice specifying the date by which it will act on a petition.

4 C. Stay of Order. The Director has determined not to consider a Petition to Stay the  
5 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial  
6 Review made under chapter 34.05 RCW and RCW 34.05.550.

7 D. Judicial Review. Respondent has the right to petition the superior court for judicial  
8 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing  
9 a Petition for Judicial Review, see RCW 34.05.510 and sections following.

10 E. Non-compliance with Order. If you do not comply with the terms of this order, including  
11 payment of any amounts owed within thirty (30) days of receipt of this Final Order, the Department may  
12 seek its enforcement by the Office of the Attorney General to include the collection of the fines,  
13 assessments, late penalties, fees, and refunds imposed herein. The Department also may assign the  
14 amounts owed to a collection agency for collection.

15 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
16 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached  
17 hereto.

18 DATED this 7th day of January, 2021.

19 STATE OF WASHINGTON  
20 DEPARTMENT OF FINANCIAL INSTITUTIONS

21 /s/  
22 CHARLES E. CLARK  
23 Director

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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  
Consumer Loan Act of Washington by:

VOYAGER FINANCIAL GROUP, LLC,

Respondent.

No.: C-14-1450-14-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER AN  
ORDER TO CEASE AND DESIST, PROHIBIT  
FROM INDUSTRY, IMPOSE FINE, AND  
REFUND FEES AND INTEREST

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**INTRODUCTION**

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (the Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (the Act). After having conducted an investigation pursuant to RCW 31.04.145, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Voyager Financial Group, LLC (Respondent)** is known to have conducted business from 801 Technology Drive, Little Rock, Arkansas 72223. Respondent has never been licensed by the Washington State Department of Financial Institutions (the Department) to conduct business as a consumer loan company in the State of Washington.

**1.2 Unlicensed Activity.** Between at least March 15, 2012, and the date of this Statement of Charges, Respondent conducted the business of a consumer loan company in at least ten (10) loan transactions when it was not exempt from licensing and did not possess a valid license. Respondent offered consumer loans to at least ten (10) Washington residents and collected a fee for these services.

1 A list of Washington consumers with whom Respondent conducted business as a consumer loan  
2 company, and the amount of the loan and associated interest, fee, or other charge is appended hereto  
3 and incorporated herein by reference.<sup>1</sup>

4 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the Act  
5 by Respondent continues to date.

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

7 **2.1 Definition of Loan.** Pursuant to RCW 31.04.015(11) and WAC 208-620-010, a "Loan" means  
8 a sum of money lent at interest or for a fee or other charge and includes both open-end and closed-end  
9 loan transactions.

10 **2.2 Definition of Making a Loan.** Pursuant to RCW 31.04.015(13) and WAC 208-620-010,  
11 "Making a Loan" means advancing, offering to advance, or making a commitment to advance funds to  
12 a borrower for a loan.

13 **2.3 Requirement to Obtain and Maintain a License in Accordance with the Act.** Based on the  
14 Factual Allegations set forth in Section I above, Respondent is in apparent violation of RCW 31.04.035  
15 and WAC 208-620-230 for engaging in the business of making secured or unsecured loans to  
16 Washington residents without first obtaining and maintaining a license in accordance with the Act or  
17 meeting an exemption from the Act under RCW 31.04.025.

18 **2.4 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,  
19 Respondent is in apparent violation of RCW 31.04.027(2) and (3) for engaging in an unfair or  
20 deceptive practice toward any person and for obtaining property by misrepresentation.  
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25 <sup>1</sup>At least ten (10) of the Washington consumers are either retired or disabled military veterans.

1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 31.04.093(5)(a), the  
3 Director may issue an order directing any person subject to the Act to cease and desist from conducting  
4 business in a manner that is injurious to the public or violates any provision of the Act.

5 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 31.04.093(6), the Director may issue  
6 an order prohibiting from participation in the conduct of the affairs of any licensee, any person subject  
7 to this chapter for a violation of RCW 31.04.027 or for failure to obtain a license for activity that  
8 requires a license.

9 **3.3 Authority to Impose a Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of  
10 up to one hundred dollars per day, per violation, upon any person subject to the Act for any violation of  
11 the Act.

12 **3.4 Authority to Order Refund of Fees and Interest.** Pursuant to RCW 31.04.035(2) and RCW  
13 31.04.093(5)(b), the Director may issue an order directing the refund of all fees and interest charged in any  
14 transaction violating RCW 31.04.035(1).  
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16 **IV. NOTICE OF INTENTION TO ENTER ORDER**

17 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set  
18 forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions,  
19 constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, and RCW 31.04.205.  
20 Therefore, it is the Director’s intention to ORDER that:  
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22 **4.1** Respondent Voyager Financial Group, LLC shall immediately cease and desist from  
23 making consumer loans to Washington state residents until such time as Respondent  
24 obtains a license in accordance with the Act from the Department or qualifies for an  
25 exemption from licensing as delineated in the Act;

**4.2** Respondent Voyager Financial Group, LLC shall be prohibited from participation, in  
any manner, in the conduct of the affairs of any consumer loan business subject to  
licensure by the Director under chapter 31.04 RCW for a period of five (5) years;





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**WASHINGTON CONSUMERS**

<b>Borrower</b>	<b>Loan Amount</b>	<b>Interest</b>	<b>Total Payments</b>	<b>Date of Last Payment</b>
R.B.	\$67,752.66	\$16,247.34	\$84,000.00	09/15/2019
S.B.	\$74,499.31	\$51,500.69	\$126,000.00	06/15/2027
N.C.	\$25,830.83	\$4,619.17	\$30,000.00	05/15/2017
P.H.	\$40,262.49	\$31,737.51	\$72,000.00	04/15/2027
D. N-H.	\$46,586.50	\$14,316.86	\$60,903.36	12/15/2019
K.L.	\$34,999.63	\$10,756.01	\$45,755.64	11/15/2019
W.M.	\$42,699.55	\$6,641.45	\$49,341.00	11/15/2017
S.P.	\$87,128.02	\$26,775.98	\$113,904.00	02/15/2020
T.P.	\$50,860.93	\$3,139.07	\$54,000.00	03/15/2015
R.R.	\$47,570.61	\$24,429.39	\$72,000.00	06/15/2027