

ORDER SUMMARY – Case Number: C-17-2332

Name(s): Money In A Day, LLC
Supawadee Chauvette

Order Number: C-17-2332-18-CO01

Effective Date: 6/8/18

License Number: UL NMLS ID Supawadee #1820218, Entity #1709815
Or NMLS Identifier [U/L]

License Effect:

Not Apply Until:

Not Eligible Until:

Prohibition/Ban Until:

Investigation Costs	\$400	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$3,000 (stayed)	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments: one year stay of fine amount

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

3 IN THE MATTER OF DETERMINING
4 Whether there has been a violation of the
5 Uniform Money Services Act of Washington by:
6
7 MONEY IN A DAY, LLC,
8 SUPAWADEE CHAUVETTE, Owner,
9
10 Respondents.

No.: C-17-2332-18-CO01

CONSENT ORDER

8 COMES NOW the Director of the Department of Financial Institutions (Director), through
9 her designee Charles E. Clark, Division Director, Division of Consumer Services, and Money in a
10 Day, LLC (Respondent MD), and Supawadee Chauvette (Respondent Chauvette), owner of
11 Respondent MD, and finding that the issues raised in the above-captioned matter may be
12 economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is
13 entered pursuant to Revised Code of Washington (RCW) 19.230, the Uniform Money Services Act
14 (Act), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

15 **FINDINGS OF FACT**

- 16 **1.1** Respondent MD is a money transmitter formerly licensed in the state of New Hampshire.
17 **1.2** Respondent Chauvette is the owner of Respondent MD.
18 **1.3** Respondent MD has never obtained a money transmitter license in accordance with the Act
19 from the Department of Financial Institutions of the State of Washington (Department).
20 **1.4** From at least 2016, to the date of this Consent Order, Respondent MD engaged in the
21 business of money transmission in the state of Washington.

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1 **CONCLUSIONS OF LAW**

2 Based on the above Findings of Fact, Respondent MD violated RCW 19.230.030 by engaging in the
3 business of money transmission in the state of Washington without first obtaining and maintaining a
4 license in accordance with the Act or meeting an exclusion from the Act under RCW 19.230.020.

5 **AGREEMENT AND ORDER**

6 The Department and Respondents have agreed upon a basis for resolution of the Findings of
7 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 19.230.270 and
8 RCW 34.05.060, Respondents and the Department agree to entry of this Consent Order and further
9 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
10 Consent Order. Respondents hereby admit the Findings of Fact and Conclusions of Law identified in
11 this Consent Order.

12 Based upon the foregoing:

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

15 **B. Waiver of Hearing.** It is AGREED that Respondents hereby waive any right they have to a
16 hearing and any and all administrative and judicial review of the issues raised in this matter or the
17 resolution reached herein.

18 **C. Cease and Desist.** It is AGREED that Respondents shall cease and desist from providing
19 money transmission services in the state of Washington.

20 **D. Money Transmitter License Required.** It is AGREED that Respondents understand that in
21 order to perform money transmission in Washington, Respondents must obtain a money transmitter
22 license in accordance with the Act or qualify for an exclusion from licensing as delineated in the Act.

23 It is further AGREED that Respondents will not perform money transmission in Washington until

1 such time as Respondents obtain a license in accordance with the Act or qualify for an exclusion from
2 licensing as delineated in the Act.

3 **E. Fine.** It is AGREED that Respondents shall pay a fine to the Department in the amount of
4 \$3,000 upon entry of this Consent Order. It is further AGREED that payment of the fine is STAYED
5 for a period of one year immediately following entry of this Consent Order, subject to the stay being
6 lifted or nullified as provided in Section G below.

7 **F. Investigation Fee.** It is AGREED that Respondents shall pay an investigation fee to the
8 Department in the amount of \$400, upon entry of this Consent Order, in the form of a cashier's check
9 made payable to the "Washington State Treasurer."

10 **G. Lifting of Stay.** It is AGREED that the Department may seek to lift the stay and impose the
11 fine against Respondents subject to the following terms:

- 12 1. The Department may seek to lift the stay at any time within the one year period
13 immediately following entry of this Consent Order if the Department determines
that Respondents are in violation of the terms of this Consent Order.
- 14 2. If the Department seeks to lift the stay, the Department shall serve Respondents
15 with a written notice of noncompliance. The notice of noncompliance shall include:
 - 16 a. a description of the alleged noncompliance,
 - 17 b. a statement of the Department's intent to lift the stay,
 - 18 c. notice that Respondents may contest the allegations of noncompliance by either
requesting an adjudicative hearing in writing or submitting a written response to
the allegations of noncompliance, and
 - 19 d. notice that the process for lifting the stay applies only to this Consent Order.
- 20 3. Respondents will be afforded 20 business days from the date of service of the notice
of noncompliance to submit to the Department either a written request for an
adjudicative hearing or a written response to the allegations of noncompliance.
- 21 4. The scope and issues of the adjudicative hearing shall be limited to whether
Respondents have failed to comply with the terms of this Consent Order.
- 22 5. At the conclusion of the adjudicative hearing the Administrative Law Judge will
23 issue an initial decision. Either party may subsequently file a Petition for Review
with the Director.

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2 **6.** If Respondents do not timely request an adjudicative hearing or submit a written
3 response to the notice of noncompliance, the Department may lift the stay without
4 further notice.

5 **7.** If the Department has not moved to lift the stayed fine within the one year period
6 immediately following the entry of this Consent Order, the stayed fine shall be
7 nullified.

8 **H. Records Retention.** It is AGREED that Respondent MD, its officers, employees, and agents
9 shall maintain records in compliance with the Act and provide the Director with the location of the
10 books, records and other information relating to Respondent MD's money transmitter business
11 conducted prior to licensure, and the name, address and telephone number of the individual
12 responsible for maintenance of such records in compliance with the Act.

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

17 **J. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this
18 Consent Order, which is effective when signed by the Director's designee.

19 **K. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read
20 this Consent Order in its entirety and fully understand and agree to all of the same.

21 **L. Authority to Execute Order.** It is AGREED that the undersigned authorized representative
22 has represented and warranted that she has the full power and right to execute this Consent Order on
23 behalf of Respondent MD.

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1 **RESPONDENT:**
Money in a Day, LLC

2 By:

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4 /s/
SUPAWADEE CHAUVETTE
5 Authorized Representative

4/24/2018
Date

6
7 /s/
SUPAWADEE CHAUVETTE
8 Individually

4/24/2018
Date

9 **DO NOT WRITE BELOW THIS LINE**

10 THIS ORDER ENTERED THIS 8th DAY OF June, 2018.

11
12 /s/
13 CHARLES E. CLARK
14 Director
15 Division of Consumer Services
16 Department of Financial Institutions

17 Presented by:

18 /s/
KENNETH J. SUGIMOTO
19 Financial Legal Examiner

20 Approved by:

21 /s/
STEVEN C. SHERMAN
22 Enforcement Chief