

## Terms Completed

### ORDER SUMMARY – Case Number: C-18-2365

**Name(s):** Lendbuzz Funding LLC

**Order Number:** C-18-2365-18-CO01

**Effective Date:** September 27, 2018

**License Number:** DFI: 111258 NMLS ID: 1636296  
**Or NMLS Identifier [U/L]**

**License Effect:** The Department may continue to process Respondent’s consumer loan license application

**Not Apply Until:** N/A

**Not Eligible Until:** N/A

**Prohibition/Ban Until:** N/A

<b>Investigation Costs</b>	\$2,042.69		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 09/26/2018
<b>Fine</b>	\$15,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 09/26/2018
<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>Financial Literacy and Education</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

**Comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

No.: C-18-2365-18-CO01

CONSENT ORDER

5 LENDBUZZ FUNDING LLC,  
NMLS #1636296,

6 Respondent.

7  
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 Lendbuzz  
10 Funding LLC (Respondent), by and through its attorney, Allen H. Denson, and finding that the issues  
11 raised in the above-captioned matter may be economically and efficiently settled, agree to the entry  
12 of this Consent Order. This Consent Order is entered pursuant to Revised Code of Washington  
13 (RCW) 31.04, the Consumer Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure  
14 Act, based on the following:

15 **FINDINGS OF FACT**

16 **1.1** Respondent has never obtained a consumer loan license in accordance with the Act from the  
17 Department of Financial Institutions of the State of Washington (Department).

18 **1.2** From at least April 24, 2017, through November 20, 2017, Respondent made consumer loans  
19 to at least 14 Washington State residents.

20 **1.3** On or about November 14, 2017, Respondent submitted an application to the Department to  
21 engage in the business of a consumer loan company under the Act, and the application is pending.

22 \\  
23 \\  
24

1 **CONCLUSIONS OF LAW**

2 **2.1** Based on the above Findings of Fact, Respondent violated RCW 31.04.035 by engaging in  
3 the business of a consumer loan company in the state of Washington without first obtaining and  
4 maintaining a license in accordance with the Act or meeting an exclusion from the Act under RCW  
5 31.04.025.

6 **AGREEMENT AND ORDER**

7 The Department and Respondent have agreed upon a basis for resolution of the Findings of  
8 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.04.093(7) and  
9 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further  
10 agree that the matters alleged herein may be economically and efficiently settled by the entry of this  
11 Consent Order.

12 Based upon the foregoing:

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

15 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has 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. No Admission of Liability.** The parties intend this Consent Order to fully resolve  
19 the matters alleged herein and agree that Respondent neither admits nor denies any wrongdoing by  
20 its entry.

21 **D. Consumer Loan License Required.** Subject to Paragraph H of this Consent Order,  
22 it is AGREED that Respondent understands that in order to make loans to Washington State  
23 residents, Respondent must obtain a consumer loan license in accordance with the Act or qualify for

1 an exemption from licensing as delineated in the Act. It is further AGREED that Respondent  
2 provided the Department with assurance that Respondent would not accept any new applications for  
3 loans until such time as Respondent obtains a license in accordance with the Act.

4 **E. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the  
5 amount of \$15,000, in the form of a cashier's check made payable to the "Washington State  
6 Treasurer" upon entry of this Consent Order.

7 **F. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to  
8 the Department in the amount of \$2,042.69 in the form of a cashier's check made payable to the  
9 "Washington State Treasurer" upon entry of this Consent Order. The Fine and Investigation Fee  
10 may be paid together in one \$17,042.69 cashier's check made payable to the "Washington State  
11 Treasurer."

12 **G. Records Retention.** It is AGREED that Respondent, its officers, employees, and  
13 agents shall maintain records in compliance with the Act and provide the Director with the location  
14 of the books, records and other information relating to Respondent's consumer loan business  
15 conducted prior to licensure, and the name, address and telephone number of the individual  
16 responsible for maintenance of such records in compliance with the Act.

17 **H. Application for Consumer Loan License.** It is AGREED that the entry of this  
18 Consent Order will not preclude Respondent from obtaining a consumer loan license pursuant to  
19 Respondent's pending consumer loan license application with the Department. It is further  
20 AGREED that upon payment to the Department of the sum required under paragraphs E and F of  
21 this Consent Order, SO LONG AS all requirements under chapter 31.04 RCW and 208-620 WAC  
22 are satisfactorily met and the application is complete as determined by the Department, the  
23 Department will process Respondent's pending consumer loan license application in due course.

1 Respondent will be timely notified of any additional licensing requirements. Respondent agrees to  
2 timely respond to any such requests.

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

7 **J. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into  
8 this Consent Order, which is effective when signed by the Director's designee.

9 **K. Completely Read, Understood, and Agreed.** It is AGREED that Respondent's  
10 representative has read this Consent Order in its entirety and fully understands and agrees to all of  
11 the same.

12 **L. Authority to Execute Order.** It is AGREED that the undersigned authorized  
13 representative has represented and warranted that he has the full power and right to execute this  
14 Consent Order on behalf of Respondent.

15 **RESPONDENT:**  
16 **Lendbuzz Funding LLC**

17 By:

18 /s/  
Amitay Kalmar  
President

9/20/2018  
Date

19 APPROVED FOR ENTRY:

20 By:

21 /s/  
22 Allen H. Denson  
Attorney at Law  
23 Hudson Cook, LLP  
Attorneys for Respondent

9/14/2018  
Date

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

---

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 27<sup>th</sup> DAY OF SEPTEMBER, 2018.

/s/ \_\_\_\_\_  
CHARLES E. CLARK  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

/s/ \_\_\_\_\_  
RACHELLE VILLALOBOS  
Financial Legal Examiner

Approved by:

/s/ \_\_\_\_\_  
STEVEN C. SHERMAN  
Enforcement Chief