

Terms Completed

ORDER SUMMARY – Case Number: C-19-2741

Name(s): Pau Pau Big Lunch LLC d/b/a Servicios Latinos Market Pau Pau

Order Number: C-19-2741-19-CO01

Effective Date: 9/13/19

NMLS Identifier: 1899648

License Effect: N/A

Not Apply Until: N/A

Not Eligible Until: N/A

Prohibition/Ban Until: N/A

Investigation Costs	\$ 1,000		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 9/6/19
Fine	\$ 5,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 9/6/19
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
Financial Literacy and Education	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Cost of Prosecution	\$	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 Check
Cashers and Sellers Act of Washington by:

No.: C-19-2741-19-CO01

CONSENT ORDER

5 PAU PAU BIG LUNCH, LLC d/b/a
6 SERVICIOS LATINOS MARKET PAU PAU,
Respondent.

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8 COMES NOW the Director of the Department of Financial Institutions (Director), through
9 his designee Richard St. Onge, Division of Consumer Services Acting Director, and Pau Pau Big
10 Lunch, LLC d/b/a Servicios Latinos Market Pau Pau (Respondent), and finding that the issues raised
11 in the above-captioned matter may be economically and efficiently settled, agree to the entry of this
12 Consent Order. This Consent Order is entered pursuant to Revised Code of Washington (RCW)
13 31.45, the Check Cashers and Sellers 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 check cashier or seller license in accordance with the Act
17 from the Department of Financial Institutions (Department).

18 **1.2** From at least May 2017 through June 2019, Respondent engaged in the business of cashing
19 checks in the state of Washington.

20 **CONCLUSIONS OF LAW**

21 **2.1** Based on the above Findings of Fact, Respondent violated RCW 31.45.030 by engaging in the
22 business of a check cashier in the state of Washington without first obtaining and maintaining a
23 license in accordance with the Act or meeting an exclusion from the Act.

1 **AGREEMENT AND ORDER**

2 The Department and Respondent have agreed upon a basis for resolution of the Findings of
3 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.45.110(5) and
4 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further
5 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
6 Consent Order. Respondent hereby admits the Findings of Fact and Conclusions of Law identified in
7 this Consent Order.

8 Based upon the foregoing:

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

11 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has to a hearing
12 and any and all administrative and judicial review of the issues raised in this matter or the resolution
13 reached herein.

14 **C. Check Casher License Required.** It is AGREED that Respondent understands that in order
15 to cash check in Washington, Respondent must obtain a check casher license in accordance with the
16 Act or qualify for an exemption from licensing as delineated in the Act. It is further AGREED that
17 Respondent provided the Department with assurance that Respondent would not engage in the check
18 cashing business until such time as Respondent obtains a license in accordance with the Act.

19 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
20 \$5,000, upon entry of this Consent Order.

21 **E. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the
22 Department in the amount of \$1,000, upon entry of this Consent Order. It is further AGREED that the
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1 Fine and Investigation Fee shall be paid together in one cashier's check in the amount of \$6,000,
2 made payable to the "Washington State Treasurer."

3 **F. Records Retention.** It is AGREED that Respondent, its officers, employees, and agents shall
4 maintain records in compliance with the Act and provide the Director with the location of the books,
5 records and other information relating to Respondent's check casher business conducted prior to
6 licensure, and the name, address and telephone number of the individual responsible for maintenance
7 of such records in compliance with the Act.

8 **G. Application for Check Casher License.** It is AGREED that the entry of this Consent Order
9 will not preclude Respondent from obtaining a check casher license pursuant to Respondent's
10 pending check casher license application with the Department. It is further AGREED that upon
11 payment to the Department of the fine and investigation fee under Paragraphs D and E of this
12 Consent Order, SO LONG AS all requirements under chapter 31.45 RCW and 208-630 WAC are
13 satisfactorily met and the application is complete as determined by the Department, the Department
14 will process Respondent's pending check casher license application in due course. Respondent will
15 be timely notified of any additional licensing requirements. Respondent agrees to timely respond to
16 any such requests.

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

21 **I. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this
22 Consent Order, which is effective when signed by the Director's designee.
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1 **J. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read this
2 Consent Order in its entirety and fully understands and agrees to all of the same.

3 **K. Authority to Execute Order.** It is AGREED that the undersigned authorized representative
4 has represented and warranted that she has the full power and right to execute this Consent Order on
5 behalf of Respondent.

6 **L. Counterparts.** This Consent Order may be executed by the Respondent in any number of
7 counterparts, including by facsimile or e-mail of a .pdf or similar file, each of which shall be deemed
8 to be an original, but all of which, taken together, shall constitute one and the same Consent Order.

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1 **RESPONDENT:**

2 Pau Pau Big Lunch, LLC, By:

3 /s/
4 Paulina Martinez
5 Authorized Representative

8-26-19
Date

6 **APPROVED FOR ENTRY:**
7 By:

8 /s/
9 Lenard Wittlake
10 Lenard L. Wittlake, PLLC
11 Attorney for Respondent

8-28-19
Date

12 **DO NOT WRITE BELOW THIS LINE**

13 THIS ORDER ENTERED THIS 13th DAY OF September, 2019.

14 /s/
15 RICHARD ST. ONGE
16 Acting Director
17 Division of Consumer Services
18 Department of Financial Institutions

19 Presented by:

20 /s/
21 DREW STILLMAN
22 Financial Legal Examiner

23 Approved by:

24 /s/
STEVEN C. SHERMAN
Enforcement Chief