

ORDER SUMMARY – Case Number: C-20-2833

Name(s): S & S Financial Partners LLC d/b/a Netcashman; George Tim Shields; Robert Richard Sullivan

Order Number: C-20-2833-22-CO01

Effective Date: March 1, 2022

License Number: 2390728; 2389741; 2389744

Or NMLS Identifier [U/L]

License Effect:

Not Apply Until: March 1, 2027

Not Eligible Until:

Prohibition/Ban Until:

Investigation Costs	\$3,750	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$50,000 (\$45,000 Stayed)	Due	Paid <input checked="" type="checkbox"/> Y <input 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
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:

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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:

No. C-20-2833-22-CO01

CONSENT ORDER

S & S Financial Partners, LLC d/b/a
Netcashman.com; George T. Shields, Manager
and Member; and Robert R. Sullivan, Manager
and Member;

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Lucinda Fazio, Division of Consumer Services Director, and S & S Financial Partners,
LLC, George T. Shields, and Robert R. Sullivan (collectively “Respondents”)¹, 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 31.04 of the Revised
Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the
following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and
Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges
No. C-20-2833-21-SC01 (Statement of Charges), entered July 29, 2021, (copy attached hereto).
Pursuant to chapter 31.04 RCW, the Consumer Loan Act (Act), and RCW 34.05.060 of the
Administrative Procedure Act, Respondents hereby agree to the Department’s entry of this Consent
Order and further agree that the issues raised in the above-captioned matter may be economically and

¹ Respondents have represented to the Department that they no longer own or control the “Netcashman.com” tradename
and that Robert R. Sullivan was the sole member and manager of S&S Financial Partners, LLC, while George T. Shields
had managerial authority over the company’s operations without having a title or documented membership interests.

1 efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully
2 resolve the Statement of Charges.

3 Based upon the foregoing:

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

6 **B. Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a
7 hearing before an administrative law judge (ALJ), and hereby waive their right to a hearing and any
8 and all administrative and judicial review of the issues raised in this matter, or of the resolution
9 reached herein. Accordingly, Respondents, by their signatures and the signatures of their
10 representatives below, withdraw their appeal to the Office of Administrative Hearings (OAH).

11 **C. Cease and Desist.** It is AGREED that Respondents shall cease and desist from conducting
12 business in a manner that is injurious to the public or violates any provision of the Act.

13 **D. Consumer Loan License Required.** It is AGREED that Respondents understand that in
14 order to make loans to Washington State residents, Respondents must obtain a consumer loan license
15 in accordance with the Act or qualify for an exemption from licensing as delineated in the Act. It is
16 further AGREED that Respondents will cease and desist making loans to Washington residents until
17 such time as Respondents obtain a license in accordance with the Act or qualify for an exemption
18 from licensing as delineated in the Act.

19 **E. Agreement Not to Apply for License.** It is AGREED that, for a period of 5 years from
20 the date of entry of this Consent Order, Respondents shall not apply to the Department for any license
21 under any name. It is further AGREED that, should Respondents apply to the Department for any
22 license under any name at any time later than 5 years from the date of entry of this Consent Order,
23 such applying Respondents shall be required to meet any and all application requirements in effect at

1 that time.

2 **F. Fine (Partially Stayed).** It is AGREED that Respondents shall pay a fine to the
3 Department in the amount of \$50,000. It is further AGREED that \$45,000 of the fine amount (the
4 “stayed fine”) shall be stayed for two years from the date of this Consent Order unless the stay is
5 lifted pursuant to Paragraph G. The stayed fine shall expire without further action or notice by the
6 Department if the Department does not seek to lift the stay and impose the stayed fine pursuant to
7 Paragraph G. It is further AGREED that, if any Respondent fails to comply with this Consent Order,
8 the Department may lift the stay and impose the stayed fine pursuant to Paragraph G, at which time
9 Respondents shall pay the stayed fine in the form of a cashier’s check made payable to the
10 “Washington State Treasurer.”

11 **G. Lifting of Stay and Imposition of Stayed Fine.** It is AGREED that:

- 12 1. If, during the two year period of the stay identified in Paragraph F, the Department
13 determines that any Respondent has not complied with this Consent Order, and the
14 Department seeks to lift the stay and impose the stayed fine, the Department will first
15 serve Respondents with a written notice of alleged noncompliance.
- 16 2. The notice will include:
 - 17 i. A description of the alleged noncompliance;
 - 18 ii. A statement that the Department seeks to lift the stay and impose the stayed
19 fine;
 - 20 iii. Notice that Respondents can contest the notice of alleged noncompliance by
21 requesting an adjudicative hearing before an ALJ from the OAH; and
 - 22 iv. Notice that the process for lifting the stay applies only to this Consent Order.
- 23 3. Respondents have 20 days from the date of service of the notice of alleged

1 noncompliance to submit a written request to the Department for an adjudicative
2 hearing.

3 4. The scope and issues of the adjudicative hearing are limited solely to whether or not
4 Respondents are in violation of the terms of this Consent Order.

5 5. At the conclusion of the adjudicative hearing, the ALJ will issue an initial decision.
6 Any party may file a Petition for Review of that initial decision with the Director of
7 the Department.

8 6. DEFAULT. If Respondents do not timely request an adjudicative hearing contesting
9 the notice of alleged noncompliance, the Department may lift the stay and impose the
10 stayed fine without further notice.

11 **H. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an
12 investigation fee of \$3,750, in the form of a cashier's check made payable to the "Washington State
13 Treasurer," upon delivery of this Consent Order to the Department, properly dated and signed. The
14 Investigation Fee and the non-stayed portion of the Fine shall be paid together in one \$8,750 cashier's
15 check made payable to the "Washington State Treasurer."

16 **I. Authority to Execute Order.** It is AGREED that the undersigned have represented and
17 warranted that they have the full power and right to execute this Consent Order on behalf of the
18 parties represented.

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

23 **K. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this

1 THIS ORDER ENTERED THIS 1st DAY OF March, 2022.



2
3 /s/
4 LUCINDA FAZIO, Director
5 Division of Consumer Services
6 Department of Financial Institutions

7 Presented by:

8 /s/
9 DREW STILLMAN
10 Financial Legal Examiner

11 Approved by:

12 /s/
13 JACK McCLELLAN
14 Enforcement Chief

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:

5 S & S Financial Partners, LLC d/b/a
6 Netcashman.com; George T. Shields, Manager
and Member; and Robert R. Sullivan, Manager
and Member;

7 Respondents.

No. C-20-2833-21-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO CEASE AND DESIST,
PROHIBIT FROM INDUSTRY, IMPOSE
FINE, COLLECT INVESTIGATION FEE,
and RECOVER COSTS AND EXPENSES

8 **INTRODUCTION**

9 Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial
10 Institutions of the State of Washington (Director) is responsible for the administration of chapter
11 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to
12 RCW 31.04.145, and based upon the facts available as of the date of this Statement of Charges, the
13 Director, through his designee, Division of Consumer Services Director Lucinda Fazio, institutes this
14 proceeding and finds as follows:

15 **I. FACTUAL ALLEGATIONS**

16 **1.1 Respondents.**

17 **A.** S & S Financial Partners, LLC d/b/a Netcashman.com (Respondent S & S) has never been
18 licensed by the Department of Financial Institutions of the State of Washington (Department) to
19 conduct business as a consumer loan company. Respondent S & S was formed as a limited liability
20 company in Utah for the purpose of consumer lending.

21 **B.** George T. Shields (Respondent Shields) is a manager and member of Respondent S & S.

22 **C.** Robert R. Sullivan (Respondent Sullivan) is a manager and member of Respondent S & S.
23

1 **1.2 Unlicensed Activity.** From at least August 6, 2019, through March 6, 2020, Respondents
2 made loans of money or extended credit to at least one Washington state resident without first
3 obtaining and maintaining a license in accordance with the Act.

4 **1.3 Misrepresentations and Omissions.** Respondents S & S and Shields negligently made false
5 statements or knowingly and willfully made an omission of material fact in connection with an
6 investigation conducted by the Department. On or about November 14, 2019, in response to a
7 subpoena sent by the Department, Respondent Shields falsely represented to the Department that
8 Respondent S & S did not make loans or otherwise conduct business in the State of Washington.

9 **1.4 Failure to Comply with Subpoenas.** Respondents failed to timely and completely comply
10 with subpoenas issued by the Department in November 2019, November 2020, and January 2021.

11 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
12 Act by Respondents continues to date.

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

14 **2.1 Requirement to Obtain and Maintain License.** Based on the Factual Allegations set forth in
15 Section I above, Respondents are in apparent violation of RCW 31.04.027(1)(b), RCW
16 31.04.027(1)(m), RCW 31.04.027(1)(n), and RCW 31.04.035 for making secured or unsecured loans
17 of money or things in action, or extending credit, from an unlicensed location, without first obtaining
18 and maintaining a license in accordance with the Act.

19 **2.2 Prohibition against Misrepresentations and Omissions.** Based on the Factual Allegations
20 set forth in Section I above, Respondents are in apparent violation of RCW 31.04.027(1)(a), RCW
21 31.04.027(1)(b), RCW 31.04.027(1)(h), RCW 31.04.027(1)(m), and WAC 208-620-550(6) for
22 negligently making false statements or knowingly and willfully making an omission of material fact
23 in connection with an investigation conducted by the Department.

1 **2.3 Requirement to Comply with Subpoenas.** Based on the Factual Allegations set forth in
2 Section I above, Respondents are in apparent violation of RCW 31.04.027(1)(a), RCW
3 31.04.027(1)(b), RCW 31.04.027(1)(m), and WAC 208-620-550(14) for failing to timely and
4 completely comply with subpoenas issued by the Department.

5 **2.4 Requirement to Pay Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
6 610(7), Respondents shall pay to the Department the cost of the investigation of each licensed place
7 of business as determined by rule.

8 III. AUTHORITY TO IMPOSE SANCTIONS

9 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 31.04.093(5)(a), the
10 Director may issue orders directing a person subject to the Act to cease and desist from conducting
11 business in a manner that is injurious to the public or violates any provision of the Act.

12 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 31.04.093(6), the Director may
13 issue an order prohibiting from participation in the affairs of any person subject to the Act for failing
14 to comply with any order or subpoena issued under the Act; violating RCW 31.04.027, RCW
15 31.04.102, RCW 31.04.155, or RCW 31.04.221; or failing to obtain a license for activity that requires
16 a license.

17 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of
18 up to one hundred dollars per day, per violation, upon any person subject to the Act for any violation
19 of the Act or failure to comply with any order or subpoena issued by the Director under the Act.

20 **3.4 Authority to Charge Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
21 610(7), every licensee examined or investigated by the Director or the Director's designee shall pay
22 for the cost of the investigation, calculated at the rate of \$69.01 per staff hour devoted to the
23 investigation, and shall pay travel costs if the licensee maintains its records outside the state.

1 **3.5 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director
2 may recover the state's costs and expenses for prosecuting violations of the Act.

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

4 Respondents' violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
5 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
6 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW
7 34.04.202, and RCW 31.04.205. Therefore, it is the Director's intent to ORDER that:

8 **4.1** Respondents S & S Financial Partners, LLC d/b/a Netcashman.com; George T.
9 Shields; and Robert R. Sullivan cease and desist from conducting business in a manner
that is injurious to the public or violates any provision of the Act.

10 **4.2** Respondents S & S Financial Partners, LLC d/b/a Netcashman.com; George T.
11 Shields; and Robert R. Sullivan be prohibited from participation in the conduct of the
12 affairs of any consumer loan company subject to licensure by the Director, in any
manner, for a period of 7 years.

13 **4.3** Respondents S & S Financial Partners, LLC d/b/a Netcashman.com; George T.
14 Shields; and Robert R. Sullivan jointly and severally pay a fine. As of the date of this
Statement of Charges, the fine totals \$50,000.

15 **4.4** Respondents S & S Financial Partners, LLC d/b/a Netcashman.com; George T.
16 Shields; and Robert R. Sullivan jointly and severally pay an investigation fee. As of
the date of this Statement of Charges, the investigation fee totals \$3,750.

17 **4.5** Respondents S & S Financial Partners, LLC d/b/a Netcashman.com; George T.
18 Shields; and Robert R. Sullivan pay the Department's costs and expenses for
prosecuting violations of the Act in an amount to be determined at hearing or by
19 declaration with supporting documentation in event of default by a Respondent.

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