



State of Washington

**DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF BANKS**

P.O. Box 41200 • Olympia, Washington 98504-1200
Telephone (360) 902-8700 • TDD (360) 664-8126 • FAX (360) 586-5068 • <http://www.dfi.wa.gov>

*Joseph M. Vincent, DFI Legal Counsel
Ph: 360.902.0516
Email: jvincent@dfi.wa.gov*

ISGC – 2008 – 006 – DOB

May 30, 2008

Albert Lee Sills, Jr.
KREDIT BANQUE CORPORATION
1401 N. Batavia Street
Orange, CA 92867

Francis Anthony Bâby III
Chairman and Registered Agent
Kredit Banque Corporation
6571 102nd Avenue NE
Kirkland, WA 98033

Francis Anthony Bâby III
Chairman and Registered Agent
Kredit Banque Corporation
9805 NE 116th Street, #7487
Kirkland, WA 98034

Albert Lee Sills, Jr.
President and Director
Kredit Banque Corporation
3826 East Kirkwood Avenue
Orange, CA 92869

RE: Notice of Unauthorized Use of “Banque” in “Kredit Banque Corporation”

Dear Messrs. Bâby and Sills:

On or about January 6, 2008, you caused to be filed articles of incorporation and were issued a certificate of incorporation for the profit business corporation entitled, “KREDIT BANQUE CORPORATION,” from the Secretary of State for the State of Washington (hereinafter, “Secretary of State”).

The Secretary has now referred your incorporation file to this agency, the Department of Financial Institutions (hereinafter, "Department") for enforcement for unauthorized use of the word "Banque" in connection with your name, pursuant to the prohibitions contained in the Washington Commercial Bank Act, Title 30, Chapter 4, Section 020, Revised Code of Washington (hereinafter, "RCW 30.04.020").

The purpose of this letter is to notify you that your continued use in Washington State or under authority of the State of Washington of the term "Banque" in connection with your corporation name or any trade name is a violation of RCW 30.04.020. Continued, knowing violation of RCW 30.04.020 is punishable as a gross misdemeanor.

RCW 30.04.020 declares, as follows:

“(1) The name of every bank shall contain the word "bank" and the name of every trust company shall contain the word "trust," or the word "bank." Except as provided in RCW 33.08.030 or as otherwise approved by the director, no person except:

- (a) A national bank;
- (b) A bank or trust company authorized by the laws of this state;
- (c) A corporation established under *RCW 31.30.010;¹
- (d) A foreign corporation authorized by this title [Title 30 RCW] so to do,

shall:

(i) Use as a part of his or its name or other business designation or in any manner as if connected with his or its business or place of business any of the following words or the plural thereof, to wit: "bank," "banking," "banker," "trust."

(ii) Use any sign at or about his or its place of business or use or circulate any advertisement, letterhead, billhead, note, receipt, certificate, blank, form, or any written or printed or part written and part printed paper, instrument or article whatsoever, directly or indirectly indicating that the business of such person is that of a bank or trust company.

(2) A foreign corporation, whose name contains the words "bank," "banker," "banking," or "trust," or whose articles of incorporation empower it to engage in banking or to engage in a trust business, may not engage in banking or in a trust business in this state unless the corporation (a) is expressly authorized to do so under this title, under federal law, or by the director, and (b) complies with all applicable requirements of chapter 23B.15 RCW regarding foreign corporations. If an activity would not constitute "transacting business" within the meaning of RCW 23B.15.010(1) or chapter 23B.18 RCW, then the activity shall not constitute banking or engaging in a trust business. Nothing in this subsection shall prevent operations by an alien bank in compliance with chapter 30.42 RCW.

(3) This section shall not prevent a lender approved by the United States secretary of housing and urban development for participation in any mortgage insurance program under the National Housing Act from using the words "mortgage banker" or "mortgage banking" in the conduct of its business, but only if both

¹ Chapter 31.30 RCW was repealed by the Washington State Legislature in 1998. 1998 Session Laws, Chapter 12, Section 1.

words are used together in either of the forms which appear in quotations in this sentence.

(4) Every person who, and every director and officer of every corporation which, to the knowledge of such director or officer violates any provision of this section shall be guilty of a gross misdemeanor."

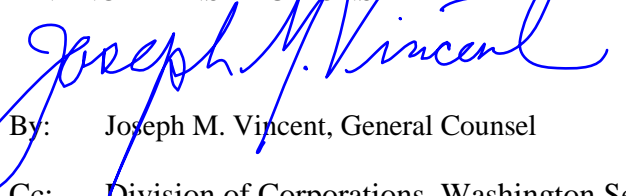
The word "Banque" is a French translation and frequently used, alternative spelling of the word "Bank." The word "Banc" is a frequently used, alternative spelling of "Bank." "Banco" is a frequently used, Spanish translation of the word "Bank." Unless you are (1) a national bank of federally chartered trust company, (2) a federal savings bank or savings and loan association, (3) a Washington State-chartered commercial bank, trust company, savings bank or savings association, (3) an out-of-state state-chartered bank, savings bank or savings association authorized by the Department to branch in Washington State, (4) an alien bank with a registered branch in Washington State, or (5) a qualified mortgage lender [pursuant to RCW 30.04.020(3)] using the name "mortgage banker" or "mortgage banking," you are not authorized to use, as part of your corporation name, trade name, alter ego or other business designation, including Internet domain, the word "Bank," "Banking," "Banker," "Trust," or any alternative spelling or non-English translation, including, without limitation, "Banque," "Banc," and "Banco."

While this Department has discretion under RCW 30.04.020(1), as cited above, to change its public policy to permit your use of "Banque," I am authorized to inform you that the Department can find no compelling reason to change its consistent policy or to otherwise grant you an exception.

The Department will expect compliance with this letter within thirty (30) days by appropriate change of corporation name with the Secretary of State and by cancellation of any unauthorized trade name filings which have been previously made with the Department of Licensing. This Department will also expect that you will cease or refrain from using the words "Bank," "Banking," "Banker," "Trust," or any alternative spelling or non-English translation, including, without limitation, "Banque," "Banc," and "Banco" in connection with your new corporation and trade names (if any). Please promptly communicate in writing with the Division of Banks, Department of Financial Institutions, P.O. Box 41200, Olympia, WA 98504, Attn: Gloria McVey, Program Manager, providing the Department with assurances of your compliance with this letter. Should you have any questions, please do not hesitate to call upon the Division of Banks at (360) 902-8704.

Sincerely,

WASHINGTON STATE DEPARTMENT OF
FINANCIAL INSTITUTIONS



By: Joseph M. Vincent, General Counsel

Cc: Division of Corporations, Washington Secretary of State