



1 3. Between January 2009 and June 2009, the Division’s employees made attempts to contact
2 Respondents in order to encourage Respondents to apply for a license as required by Oregon law.

3 4. Respondents advertise their business through both Dex and the Yellow pages as ”Advance
4 Check Cashing.” Respondents also advertise their business via a storefront sign reading
5 “Advance Check Cashing.”

6 5. A Division examiner contacted Respondents using the phone number advertised on Dex
7 and in the Yellow pages. The individual who answered the phone advised that Respondents
8 charge a fee to cash checks and that Respondents primary source of income was their check
9 cashing business.

10 6. In August 2009, Respondents voluntarily chose to close Advance Check Cashing.

11 7. The Division has received no complaints of consumers being harmed by Respondents
12 activity.

13 **CONCLUSIONS OF LAW**

14 1. Respondents engaged in a continuing violation of ORS 697.504 by purporting to conduct
15 a check cashing business and by advertising that they conduct a check cashing business without
16 first obtaining a license under ORS 697.514.

17 **ORDER**

18 **NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:**

19 The Director, pursuant to ORS 697.542(5), Orders that Respondents **CEASE & DESIST**
20 from operating or advertising a check-cashing business in Oregon.

21 The Director, pursuant to ORS 697.555(1) hereby assesses a **CIVIL PENALTY** of
22 **\$10,000.00** for the continuing violation of ORS 697.504. The Director hereby suspends
23 imposition of the civil penalty for a period of three (3) years, and waives the penalty in its
24 entirety thereafter, if Respondents:

- 25 a. Cease and desist from operating a check-cashing business in Oregon;
- 26 b. No complaints are received and validated by the Division;

1 c. Do not violate any provision of ORS Chapter 697.500 through 697.992 for three
2 years from the date of this order.

3 The date of the Order is the date the Director signs the Order. The entry of this Order in
4 no way limits further remedies which may be available to the Director under Oregon law.

5 Dated this 13th day of October, 2009 at Salem, Oregon.

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7 CORY STREISINGER, Director
8 Department of Consumer and Business Services

9
10 */s/ David Tatman*

11 David C. Tatman, Administrator
12 Division of Finance and Corporate Securities

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Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
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CONSENT TO ENTRY OF ORDER

I, Thomas Butler, trustee for Crystal Peak Trust DBA Advance Check Cashing, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that I have been advised of the right to a hearing and of the right to be represented by counsel in this matter, that I voluntarily and without any force or duress, consent to the entry of this Order, expressly waiving any right to a hearing in this matter; that I understand that the Director reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of Oregon Law; and that I will fully comply with the terms and conditions stated herein.

I further assure the Director that neither I, nor my employees, agents, or legal entities controlled by me, will effect any transactions in Oregon unless such activities are in full compliance with Chapter 697.500 *et. seq.* of the Oregon Revised Statutes.

I understand that this Consent Order is a public document.

Dated this 22 day of September, 2009 at Salem, Oregon.

/s/ Thomas Butler
Thomas Butler

CORPORATE ACKNOWLEDGEMENT

There appeared before me this 22 day of Sept, 2009, Thomas Butler, who was first duly sworn on oath, and stated that he was or is trustee for Crystal Peak Trust DBA Advance Check Cashing, and he is authorized and empowered to sign this Consent to Entry of Order on behalf of Crystal Peak Trust and to bind Crystal Peak Trust to the terms hereof.

/s/ Florestes Alcovendaz
Signature of Notary Public
Notary Public for the State of: California
My Commission Expires: Jan 7, 2010

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