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3 **STATE OF OREGON**
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**
5 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

6 **BEFORE THE DIRECTOR OF THE DEPARTMENT**
7 **OF CONSUMER AND BUSINESS SERVICES**

8 In the Matter of:

I-10-0025

9 **300CASH.COM, INC.**, a Delaware
10 corporation,
11 Respondent.

ORDER TO CEASE AND DESIST,
ORDER ASSESSING CIVIL PENALTY
AND CONSENT TO ENTRY OF
ORDER

12 WHEREAS, the Director of the Department of Consumer and Business Services for the
13 State of Oregon (hereinafter “the Director”), acting pursuant to ORS chapter 725 (hereinafter the
14 “Oregon Consumer Finance Act” or “the Act”), conducted an investigation of 300Cash.com, Inc.
15 (“300Cash”) and, concluding that violations of the Act had been committed, issued on June 1,
16 2010 to 300Cash an ORDER TO CEASE AND DESIST, PROPOSED ORDER ASSESSING
17 CIVIL PENALTY AND NOTICE OF RIGHT TO A HEARING; and

18 WHEREAS 300Cash filed with the Director a timely request for an administrative
19 hearing; and

20 WHEREAS 300Cash neither admits nor denies the Findings of Fact or Conclusions of
21 Law contained herein, but wishes to resolve and settle this matter with the Director by entering
22 into this Consent to Entry of Order, which is evidenced by the authorized signatures subscribed
23 below;

24 NOW THEREFORE, as evidenced by the signature(s) subscribed on this Order, 300Cash
25 hereby CONSENTS to entry of this Order upon the Director’s Findings of Fact and Conclusions
26 as stated hereinafter.

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Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387





I.

FINDINGS OF FACT

The Director FINDS that:

1. 300Cash.com, Inc. (hereinafter “300Cash”) is believed to be a Delaware corporation with principal offices located at 40 E. Main Street, Suite 222, Newark, Delaware 19711-4639. By information and belief, Arnold Beyer (“Beyer”) is the principal and/or chief operating officer of 300Cash. 300Cash is not registered with the Oregon Secretary of State as a foreign business.
2. 300Cash is in the business of making loans to individuals primarily for personal, family or household purposes for periods of less than 60 days. The loans are not made as purchase money loans and are usually evidenced by a check or electronic repayment agreement provided by or on behalf of the borrower. These loans are commonly called “payday loans”. 300Cash conducts its payday loan business via the Internet through its website www.300cash.com.
3. At all relevant times herein, 300Cash was not licensed in Oregon with the Director as a payday lender.
4. At all times relevant to this matter, an individual identified herein as “LT” was a resident of the State of Oregon.
5. On or about May 11, 2008, LT negotiated a \$200 short term consumer loan with 300Cash via the Internet through the website www.300cash.com. LT intended the loan primarily for personal, family or household purposes. LT negotiated the loan with 300Cash while being physically present in Oregon.
6. As part of the loan negotiation, LT provided 300Cash with proof of employment, his Social Security number, the information for his bank account with the Clackamas branch of West Coast Bank, and authorized 300Cash to debit his account for the loan payments. LT was told that the loan funds would be transferred to his account in 24 to 48 hours. The following day, LT contacted his bank to verify that the loan funds had been deposited. The bank informed LT that

1 the loan funds had not been deposited, but that 300Cash had debited his account in the sum of
2 \$15. LT informed the bank that he believed he had been defrauded. The bank returned his \$15
3 and LT closed his account.

4 7. On October 19, 2009, an Enforcement Officer for the Division of Finance and
5 Corporate Securities, a division of the Department of Consumer and Business Services, wrote to
6 Beyer requesting information about loans made by 300Cash.com, Inc. to other Oregon residents.
7 300Cash was to file a response by November 2, 2009. No response was received from 300Cash.

8 II.

9 CONCLUSIONS OF LAW

10 The Director CONCLUDES that:

11 8. The short term consumer loan made by 300Cash to Oregon resident LT is a payday
12 loan as defined in ORS 725.600(3).

13 9. The payday loan made by 300Cash to Oregon resident LT was subject to ORS
14 chapter 725 because 300Cash made a loan for personal, family or household purposes of less
15 than \$50,000 to a consumer who resided in Oregon and the consumer made a payment on the
16 loan in this state as that term is defined in ORS 725.602 when 300Cash debited LT's Oregon
17 bank account, which was with a branch of a financial institution located in Oregon.

18 10. 300Cash violated ORS 725.045(1) by conducting a business in which it made a
19 payday loan as defined by ORS 725.600(3) to an Oregon resident without first obtaining a
20 license under ORS chapter 725.

21 11. 300Cash violated ORS 725.310(2)(a) by failing to give the Director free access to the
22 records of loans made by 300Cash to Oregon residents.

23 III.

24 ORDERS

25 NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

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Cease and Desist Order

12. Pursuant to the authority of ORS 725.400, the Director hereby ORDERS 300Cash to CEASE AND DESIST from violating any provision of the Oregon Consumer Finance Act, ORS chapter 725, OAR 441-730-0000 through 441-730-0320, or any rule, order, or policy issued by the Director under that chapter.

Order Assessing Civil Penalty

13. Pursuant to the authority of ORS 725.910, the Director may assess a CIVIL PENALTY in an amount determined by the Director of not more than \$2,500 per violation against any person who violates any provision of the Oregon Consumer Finance Act, ORS chapter 725. Pursuant to this provision, the Director hereby proposes to assess Respondent 300Cash a CIVIL PENALTY in the amount of \$5,000 (five thousand dollars) for the following violations:

A. A CIVIL PENALTY of \$2,500 (two thousand five-hundred dollars) for conducting a business in which it made a payday loan as defined by ORS 725.600(3) to an Oregon resident without first obtaining a license under ORS chapter 725 in violation ORS 725.045(1); and

B. A CIVIL PENALTY of \$2,500 (two thousand five-hundred dollars) for violation of ORS 725.310(2)(a) by failing to give the Director free access to the records of 300Cash.com's Oregon loans.

Suspension of Portion of Civil Penalty

14. The Director suspends the collection of \$2,500 of the CIVIL PENALTY assessed herein providing 300Cash commits no future violations of the Oregon Consumer Finance Act or this Consent Order. The remaining portion of the CIVIL PENALTY will be payable no later than 30 (thirty) days from the date of this Consent Order.

15. The Director reserves the right to immediately impose the suspended portion of this CIVIL PENALTY upon a determination that 300Cash has violated any term of this Consent Order, or any provision of the Oregon Consumer Finance Act, ORS chapter 725, or the

1 administrative rules adopted thereunder, OAR Chapter 441.

2 16. The entry of this Consent Order in no way limits further remedies which may be
3 available to the Director under Oregon law.

4 IT IS SO ORDERED.

5 Dated this 27th day of July, 2010 at Salem, Oregon.

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

8 David Tatman
9 David C. Tatman, Administrator
10 Division of Finance and Corporate Securities

11 **CORPORATE STIPULATION TO ENTRY OF ORDER**
12 (for 300Cash.com, Inc.)

13 I, Arnold Beyer, state that I am an officer of 300Cash.com, Inc. (“300Cash”), and I am
14 authorized to act on its behalf; that I have read the foregoing Consent Order and that I know and
15 fully understand the contents hereof; that I and this entity have been advised of the right to a
16 hearing and of the right to be represented by counsel in this matter; that 300Cash, voluntarily and
17 without any force or duress, stipulates to the entry of this Consent Order, expressly waiving any
18 right to a hearing in this matter; that 300Cash neither admits nor denies liability with respect to
19 the Findings of Fact and Conclusions of Law in the foregoing Consent Order; that 300Cash,
20 executes this Consent Order as a settlement of the matters referred to in the foregoing Consent
21 Order; that 300Cash, understands that the Director reserves the right to take further actions to
22 enforce this Consent Order or to take appropriate action upon discovery of other violations of the
23 Oregon Consumer Finance Act; and that 300Cash will fully comply with the terms and
24 conditions stated herein.

25 300Cash further assures the Director that neither 300Cash, nor its officers, directors,
26 employees or agents, will effect consumer loan transactions in Oregon unless such activities are

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1 in full compliance with Chapter 725 of the Oregon Revised Statutes.

2 300Cash understands that this Consent Order is a public document.

3 Dated this 12 day of July, 2010.

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By: Arnold Beyer
Arnold Beyer

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Office Held: Administrator

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8 APPROVED AS TO FORM:

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Dated: _____

Attorney for 300Cash.com, Inc.

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11 **CORPORATE ACKNOWLEDGMENT**

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State of Texas

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County of Lubbock

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14 There appeared before me this 12th day of July, 2010, Arnold Beyer,
15 who was first duly sworn on oath, and stated that he was and is an officer of 300Cash.com, Inc.,
16 and that he is authorized and empowered to sign this Consent Order on behalf of 300Cash.com,
17 Inc., and to bind 300Cash.com, Inc. to the terms hereof.

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/s/ Kathy R. Longoria
(Signature of Notary Public)

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Kathy R. Longoria
(Printed Name of Notary Public)

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Notary Public for State of: Texas

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My Commission Expires: 10-30-2012

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