STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: PREMIER PAWN & GUN, INC. Respondent.	Case No. PB-19-0015 ORDER TO CEASE AND DESIST, FINAL ORDER REVOKING LICENSE AND ASSESSING A CIVIL PENALTY, ENTERED BY DEFAULT

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), acting in accordance with Oregon Revised Statutes ("ORS") chapter 726 ("Pawnbrokers Act"), properly served a cease and desist order on Premier Pawn & Gun, Inc. ("Premier") and served Notice that the Director intended to revoke Premier's license and asses a civil penalty.

The Notice offered Premier an opportunity for a hearing, if requested within 20 days. The Notice further informed Premier that if a hearing was not conducted because Premier did not timely request a hearing or otherwise defaulted, then the designated portion of the Director's file and all materials submitted by Premier in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The Director did not receive from Premier a request for a hearing and did not conduct a hearing.

The Director finds that the record of this proceeding proves a *prima facie* case.

The Director makes the following Findings of Fact, Conclusions of Law, Orders, and Notice of Right to Judicial Appeal.

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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Premier is a domestic corporation registered in Oregon since May 6, 2016, with a principal place of business at 203 SE 1st Ave., Canby, OR 97013.

2. John Honeywell ("Honeywell") is listed as the registered agent, president and secretary of Premier with the Oregon Secretary of State ("OSOS").

3. According to the OSOS business registry, an administrative dissolution took place on July 5, 2018. Therefore, Premier is no longer registered to do business in Oregon.

4. Premier has had a pawnbroker license in Oregon since October 2016. Premier's license number is PB-0432.

5. The pawnbroker license application is signed by John Honeywell as the president of Premier.

6. Every year pawnbrokers are required to pay an annual fee on December 15.

7. On December 31, 2018, Premier paid to the Division of Financial Regulation ("Division") its annual fee. Premier was sixteen days late in paying its annual fee.

8. Every year pawnbrokers are required to file an annual report for the previous year by January 15.

9. The Division sent an email reminder to Honeywell on January 11, 2019 that the annual report was due on January 15, 2019.

10. The Division sent a second email reminder to Honeywell on January 16, 2019.

11. On or about January 16, 2018, the Division spoke to Honeywell on the phone and he stated that he was going to put the annual report in the mail.

12. When the Division did not receive the report, it sent another email on February 11, 2019 inquiring about the annual report.

13. The Division attempted to call Honeywell but was unable to leave a voice

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message.

14. Premier has been late paying his annual fee and filing his annual report in the past. Premier was issued a warning letter on April 12, 2018 for the same activity.

15. Premier has not filed an annual report for 2018.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

16. Pursuant to ORS 726.440(1)(a), if the Director has reason to believe that a person has violated, is violating or is about to violate ORS 726.130, the Director may issue an order to cease and desist from the violation.

17. Pursuant to ORS 726.050(3), the Director may not issue a pawnbroker license to a corporation unless the corporation is an Oregon corporation in good standing.

18. Pursuant to Oregon Administrative Rule ("OAR") 441-740-0010, the annual fees paid pursuant to ORS 726.125(2) shall be $350.

19. Pursuant to ORS 726.130, every pawnbroker, on or before January 15, shall submit to the Director an annual report.

20. Pursuant to ORS 726.150(1)(a), the Director may revoke a pawnbroker license if the pawnbroker has failed to comply with the provisions of law to keep the corporation in good standing. Premier has not kept the corporation in good standing.

21. Pursuant to ORS 726.150(1)(b), the Director may revoke a pawnbroker license if the pawnbroker has violated any provision of this chapter. Premier violated ORS 726.130.

22. Under ORS 726.910(1), any person who violates ORS 726.130 shall forfeit a civil penalty in an amount determined by the Director of not more than $2,500.

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ORDERS

Now therefore, the Director issues the following Orders:

23. As authorized by ORS 726.440(1), the Director ORDERS Respondent to CEASE AND DESIST from violating any provision of the Pawnbrokers Act or the administrative rules promulgated thereunder.

24. The Director, pursuant to ORS 726.150(1)(a) and (b), hereby REVOKES Premier's pawnbroker license.

25. The Director, pursuant to ORS 726.910(1), hereby assesses a CIVIL PENALTY against Premier in the amount of $2,500 for violating ORS 726.130.

SO ORDERED this 21st day of March , 2019 in Salem, Oregon.

CAMERON C. SMITH, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

NOTICE OF RIGHT TO JUDICIAL APPEAL

You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date this order is served.

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