

STATE OF ILLINOIS
OFFICE OF BANKS AND REAL ESTATE
BUREAU OF BANKS AND TRUST COMPANIES

IN THE MATTER OF:)
) No. 2000-BBTC-08
Cermak Pawn Shop)
2811 West Cermak)
Chicago, Illinois 60623)

ORDER ASSESSING CIVIL MONETARY PENALTY

The COMMISSIONER OF BANKS AND REAL ESTATE, (the “Commissioner”), having conducted an examination of facts related to Cermak Pawn Shop, 2811 West Cermak, Chicago, Illinois 60623, (“Cermak”), and having found that Cermak has committed a violation of the rules related to licensing of pawnbrokers, hereby issues this ORDER pursuant to the authority provided under Section 0.05(a)(6) of the Pawnbroker Regulation Act[205 ILCS 510/0.01] (the “ Act”). Specifically, the Commissioner finds the following:

1. On or about August 27, 1998, Cermak, by and through Gerald Rogers, submitted to the Commissioner a Pawnbroker license application pursuant to the requirements of Section 0.05(b) of the Act; (the “Application”);
2. 38 Ill. Adm. Code, Section 360 comprises administrative rules related to the licensing and regulation of Pawnbrokers in the state of Illinois;
3. Pursuant to 38 Ill. Adm. Code, Section 360.110, an application to obtain a pawnbroker license shall be made under oath and state the full name and address of the applicant together with other relevant information the Commissioner shall require;
4. The application required Cermak to disclose relevant information regarding whether the applicant or any principal party ever had any business license or like privilege denied, revoked, cancelled or suspended in the state of Illinois or any other state;
5. The Application submitted by Cermak to the Commissioner stated that neither Cermak or any principal party had any business license or like privilege, denied, revoked, cancelled or suspended in the state of Illinois or any other state;
6. That on or about July 23, 1998, the City of Chicago, Mayor’s License Commission denied an application for a pawnbrokers license submitted by Kedzie Pawn Shop, Inc., (the “Kedzie Pawn Denial”);

7. That at all times relevant, Gerald Rogers was an officer and principal of Kedzie Pawn Shop Inc.;
8. That at all times relevant, Gerald Rogers was an officer and principal of Cermak;
9. That by virtue of the failure to disclose the Kedzie Denial on the Cermak Application, Cermak, by and through Gerald Rogers, has failed to provide relevant information to the Commissioner;
10. That by virtue of the failure to provide relevant information to the Commissioner, Cermak has violated 38 Ill. Adm. Code, Section 360.110; and
11. That Section 0.05(a)(6) of the Act provides the Commissioner the authority to assess a civil monetary penalty against any person for each violation of any provision of the Act, any rule promulgated in accordance with the Act or any order of the Commissioner.

Based upon the above findings and pursuant to the authority provided under Section 0.05(a)(6) of the Act, the Commissioner hereby concludes it to be appropriate to enter the following Order.

NOW THEREFORE IT IS HEREBY ORDERED:

1. Cermak shall be and hereby is assessed a civil monetary penalty in the amount of \$100.00
2. The civil monetary penalty in the amount of \$100.00 shall be paid no later than sixty (60) days after service of this order upon Cermak; and
3. The Civil monetary penalty in the amount of \$100.00 shall be paid by means of a certified check or money order made payable to the Office of Banks and Real Estate.

ORDERED THIS 26th DAY OF JULY, 2000

SCOTT D. CLARKE
ASSISTANT COMMISSIONER
OFFICE OF BANKS AND REAL ESTATE

You are hereby notified that this Order is an administrative decision. Pursuant to 38 Ill. Adm. Code, Section 392, any party may file a request for a hearing on an administrative decision. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision. A hearing shall be held within thirty (30) days after the receipt by the Commissioner of Banks and Real Estate of a request for a hearing.