

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

IN THE MATTER OF:)
) No. 2000-BBTC-13
Empire Pawn & Paging)
1504 Kingshighway)
Washington Park, Illinois 62204)

ORDER ASSESSING CIVIL MONETARY PENALTY

The COMMISSIONER OF BANKS AND REAL ESTATE, (the “Commissioner”), having conducted an examination of facts related to Empire Pawn & Paging, 1504 Kingshighway, Washington Park, Illinois (“Empire”) and having found that Empire 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. 38 Ill. Adm. Code, Section 360, comprises administrative rules related to the licensing and regulation of Pawnbrokers in the State of Illinois;
2. Pursuant to 38 Ill. Adm. Code, Section 360.160, every pawnbroker license issued by the Commissioner shall expire on June 30 of each year. All applications for license renewal must be mailed to the Commissioner and be postmarked no later than May 1 of each year;
3. The pawnbroker license previously issued by the Commissioner to Empire expired by operation of law as of June 30, 2000;
4. Empire failed to mail a complete license application to the Commissioner on or before May 1, 2000 in order to renew the expired pawnbroker license;
5. On or about July 10, 2000, the Commissioner sent written notice to Empire, by means of certified United States mail, that unless a license application was postmarked or received by the Commissioner on or before July 24, 2000, the Commissioner would assess a late payment fee in the amount of \$50.00 per day for each day following July 24, 2000, (the “July 24 Notice”);
6. In addition, the July 24 Notice advised Empire that if the Commissioner had not received a license application by August 7, 2000, the Commissioner would consider

Empire to be engaging in the operation of an unlicensed pawnbroker and additional enforcement action would be initiated;

7. That Empire failed to submit a completed license application to the Commissioner until August 9, 2000;
8. That by virtue of the failure to timely submit a complete license application, Empire violated Section 38 Ill. Adm. Code, Section 360.160; and
9. 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. Empire 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 Empire; 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 28th DAY OF AUGUST, 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.