

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF BANKING

IN THE MATTER OF:)
)
Action Pawn) No. 2008-DB-53
400 Main)
Mt. Vernon, IL 62864)

ORDER ASSESSING LATE FILING FEE

The Secretary of the Illinois Department of Financial and Professional Regulation, (the “Secretary”), having conducted an examination of facts related to Action Pawn (PWN.0000220) and having found that Action Pawn 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)(2) of the Pawnbroker Regulation Act [205 ILCS 510/0.01] (the “ Act”).

FINDINGS OF FACT

The Secretary makes the following Findings of Fact:

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 Secretary shall expire on June 30 of each year. All applications for license renewal must be mailed to the Secretary and be postmarked no later than June 1 of each year;
3. By submitting its application postmarked June 17, 2008, Action Pawn failed to mail a complete license application to the Secretary on or before June 1, 2008 in order to renew its pawnbroker license;
4. Pursuant to 38 Ill. Adm. Code, Section 360.160(b) the Secretary shall assess a late filing fee of \$50.00 per day for all applications postmarked after June 1 of each year, unless an exception has been granted;
5. The Secretary has considered the facts related to this matter and has determined that no exception shall be granted; and
6. Section 0.05(a)(2) of the Act provides the Secretary the authority to issue orders for the purpose of administering the provisions of the Act or any rule promulgated in accordance with the Act.

Based upon the above findings the Secretary hereby concludes the following:

1. By virtue of the failure to timely submit a complete license application, Action Pawn violated Section 38 Ill. Adm. Code, Section 360.160; and
2. Pursuant to the authority provided under Section 0.05(a)(2) of the Act, the Secretary has determined that it is appropriate to enter an Order Assessing a Late Filing Fee against Action Pawn.

NOW THEREFORE IT IS HEREBY ORDERED:

1. Action Pawn shall be and hereby is assessed a late filing fee in the amount of \$800;
2. The late filing fee in the amount of \$800 shall be paid no later than ninety (90) days after service of this Order upon Action Pawn; and
3. The late filing fee in the amount of \$800 shall be paid by means of a certified check or money order made payable to the Illinois Department of Financial and Professional Regulation (IDFPR).

ORDERED THIS 10th DAY OF SEPTEMBER, 2008

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois;
DEAN MARTINEZ, SECRETARY

DIVISION OF BANKING

By:

JORGE A. SOLIS
Director

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 Director of Banking of a request for a hearing. Absent a request for hearing, this Order shall constitute a final administrative Order subject to the Administrative Review Law, [735 ILCS 5/3-101].