

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
)

Big Boys Pawn Shop)
3042 North State Road 71)
Ottawa, IL 61350)
_____)

No. 2011-DB-86

ORDER TO CEASE AND DESIST

The Illinois Department of Financial and Professional Regulation (the "Department"), having conducted an investigation into the business affairs of Big Boys Pawn Shop, Ottawa, Illinois, and having found that Big Boys Pawn Shop has committed violations of Section 0.05(c) and Section 1.5 of the Pawnbroker Regulation Act [205 ILCS 510/0.01 to 510/15] (the "Act"), hereby issues this ORDER pursuant to Section 0.05(a)(7) of the Act.

FINDINGS OF FACT

1. Big Boys Pawn Shop operates a business located at 3042 North State Road 71, Ottawa, Illinois.
2. On or about July 29, 2011, a representative of Big Boys Pawn Shop offered to loan money in exchange for gold to an investigator from the Department.
3. On or about July 29, 2011, said representative recited material terms including duration, interest, and renewability of the stated loan.
4. Big Boys Pawn Shop is lending money on the deposit or pledge of physically delivered personal property and is dealing in the purchase of personal property on the condition of selling the property back again at a stipulated price.
5. Section 1 of the Act provides that every individual or business entity that lends money on the deposit or pledge of physically delivered personal property or who deals in the purchase of such property on the condition of selling the property back again at a stipulated price is a pawnbroker.

6. Section 0.05(c) of the Act provides that it is unlawful to operate a pawnshop without a license issued by the Department.
7. Big Boys Pawn Shop has been using the word "pawn" in connection with the business it conducts, including the use of the word "pawn" in signage visible to the public.
8. Section 1.5 of the Act provides that it is not lawful for an individual or a business entity to conduct a pawnbroker business or to use the word "pawn," "pawnshop," or "pawnbroker" in connection with a business without first obtaining a license from the Department.
9. On or about September 29, 2011 a representative of Big Boys Pawn Shop conducted an interview with the Ottawa Daily Times Newspaper and indicated to the public that Big Boys Pawn Shop is engaged in the business of a pawnshop.
10. Section 1.5 of the Act prohibits any business that has not first obtained a pawnshop license through the Department from misleading the public by implying the business is pawnshop.
11. The Department has not issued Big Boys Pawn Shop a license to conduct a business as a pawnbroker.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, it is **CONCLUDED**:

Big Boys Pawn Shop has violated Section 0.05(c) of the Act.

Big Boys Pawn Shop has committed multiple violations of Section 1.5 of the Act.

NOW THEREFORE IT IS HEREBY ORDERED:

Big Boys Pawn Shop shall **CEASE AND DESIST** from transacting business as a pawnbroker in connection with any business activities it undertakes unless and until the Department issues Big Boys Pawn Shop a license to conduct a pawnbroker business.


Big Boys Pawn Shop shall **CEASE AND DESIST** from using the word "pawn," "pawnshop," or "pawnbroker" in connection with any business activities it undertakes unless the Department issues Big Boys Pawn Shop a license to conduct a pawnbroker business.

Big Boys Pawn Shop shall CEASE AND DESIST from acts that may mislead the public by implying the business is a pawnshop unless the Department issues Big Boys Pawn Shop a license to conduct its business as a pawnshop.

Ordered this 29th day of November, 2011.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois; BRENT E. ADAMS, SECRETARY

DIVISION OF BANKING



MANUEL FLORES

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 with the Department at 320 West Washington Street Springfield, Illinois 62786, within 10 days after the receipt of an administrative decision. Absent a request for a hearing, this Order shall constitute a final administrative Order subject to the Administrative Review Law [735 ILCS 5/3-101, *et seq*].