

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

In the Matter of:)	
)	
DIAMOND BANC)	ORDER TO CEASE
)	AND DESIST
)	
401 S. Providence Road, Suite 105,)	2016-DB-02
Columbia, Missouri, 65203)	

ORDER TO CEASE AND DESIST

The Illinois Department of Financial and Professional Regulation, (the "Department"), having conducted an examination of facts related to Diamond Banc located at 401 S. Providence Road, Suite 105, Columbia, Missouri, and having found that Diamond Banc has committed a violation of Section 0.05(c) 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

The Secretary makes the following Findings of Fact:

1. Diamond Banc operates a business located at 401 S. Providence Road, Suite 105, Columbia, Missouri, 65203;
2. Shelle Jewelers, Inc. operates a business located at 322 Skokie Blvd, Northbrook, Illinois, 60062;
3. On or about December 18, 2015, a representative of Shelle Jewelers, Inc., who referred to himself as Brian, offered to loan money in exchange for jewelry to an investigator from the Department. Brian explained that he could make the loan but that the jewelry would be held at Diamond Banc in Columbia, Missouri;
4. Brian of Shelle Jewelers initiated a phone call between the Department's investigator and Kyle Cook of Diamond Banc;

5. The phone call with Kyle Cook of Diamond Banc covered such items as how large of a loan the investigator wanted, how a jewelry asset based loan works, the physical appearance of the jewelry to be used as collateral for the loan, an appraisal for the value of the jewelry, the usage of prepaid shipping that would be sent from Diamond Banc to the investigator so the investigator could send the jewelry to Diamond Banc, terms of the loan, and that the jewelry would be broken down and the gold would be melted if loan plus interest was not paid in thirty days;
6. On the same day, on or about December 18, 2015, the Shelle Jewelers, Inc. representative Brian, also recited material terms including duration, interest, and renewability of stated loan;
7. Diamond Banc, in conjunction with Shelle Jewelers Inc., 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;
8. 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;
9. Section 0.05(c) of the Act provides that it is unlawful to operate a pawnshop in Illinois without a license issued by the Department; and
10. The Department has not issued Diamond Banc or Shelle Jewelers, Inc. a license to conduct a business as a pawnbroker.

CONCLUSIONS OF LAW

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

1. Diamond Banc has violated Section 0.05(c) of the Act.

NOW THEREFORE IT IS HEREBY ORDERED:

1. Diamond Banc shall CEASE AND DESIST from transacting business as a pawnbroker whether online or in person in connection with any business activities it undertakes unless and until the Department issues Diamond Banc a license to conduct a pawnbroker business.
2. The Department assesses a FINE against Diamond Banc in the amount of \$2,000 pursuant to Section 0.05(a)(6) of the Act.

ORDERED THIS 17th DAY OF March, 2016.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of
Illinois;
BRYAN SCHNEIDER, SECRETARY

DIVISION OF BANKING

By: Kerri A. Doll
Acting 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 30 days after the receipt by the Secretary of a request for a hearing. Absent a request for a hearing, this Order shall constitute a final administrative Order subject to the administrative Review Law [735 ILCS 5/3-10 1 et seq.].

