

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

IN THE MATTER OF:)
) No. 2002-BBTC-20
Forest Jewelers & Loan)
3226 North Lincoln Avenue)
Chicago, Illinois 60657)

ORDER ASSESSING CIVIL MONETARY PENALTY

The COMMISSIONER OF BANKS AND REAL ESTATE (the “Commissioner”), having conducted an examination of facts related to Forest Jewelers & Loan, 3226 North Lincoln Avenue, Chicago, Illinois (“Forest”), and having found that Forest has committed a violation of the rules related to the reporting requirements for 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 *et seq.*] (the “Act”).

FINDINGS OF FACT

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 360.210(a), a pawnshop must file an annual report with the Commissioner, on a form provided by the Commissioner and entitled “Pawnshop Disclosure of Business Activities Report (“Disclosure Report”), no later than 30 calendar days following the end of each calendar year;
3. Forest failed to timely file its Disclosure Report for calendar year 2001 despite being allowed a “grace period” until April 2, 2002;
4. The Commissioner did not receive Forest’s Disclosure Report until April 15, 2002, in an envelope postmarked April 10, 2002; and
5. 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.

CONCLUSIONS OF LAW

The Commissioner CONCLUDES:

1. That by virtue of its failure to timely file its Disclosure Report for calendar year 2001, Forest violated 38 Ill. Adm. Code, Section 360.210(a).

NOW THEREFORE IT IS HEREBY ORDERED:

1. Forest shall be and hereby is assessed a civil monetary penalty in the amount of \$400.00 pursuant to Section 0.05(a)(6) of the Act;
2. The civil monetary penalty in the amount of \$400.00 shall be paid no later than sixty (60) days after service of this order upon Forest; and
3. The civil monetary penalty in the amount of \$400.00 shall be paid by means of a certified check or money order made payable to the Office of Banks and Real Estate.

ORDERED THIS 1st DAY OF MAY, 2002.

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.

STIPULATION TO ASSESSMENT OF CIVIL MONETARY PENALTY

Forest Jewelers & Loan, by and through a duly authorized officer or director, hereby consents to the entry of the foregoing Order Assessing of Civil Monetary Penalty, without objection or defense.

Forest Jewelers & Loan hereby waives any right it may have to seek a hearing as authorized pursuant to 38 Ill. Adm. Code, Section 392, and further waives any right it may have to administrative review of the Order pursuant to the Administrative Review Law.

Dated _____

Forest Jewelers & Loan

By: _____

Title: _____