

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF BANKS AND REAL ESTATE

IN THE MATTER OF:)
)
Express Pawn) No. 2005-BTC-19
1525 Broadway)
Rockford, Illinois 61104)

ORDER TO CEASE AND DESIST

The SECRETARY OF THE DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION (“Secretary”) hereby issues to Express Pawn, 1525 Broadway, Rockford, Illinois, this ORDER TO CEASE AND DESIST (“Order”). This Order is authorized and issued pursuant to the provisions of Section 0.05(a)(7) of the Pawnbroker Regulation Act (the “Act”) [205 ILCS 510/0.05(a)(7)].

FINDINGS OF FACT

The Secretary FINDS the following:

1. Express Pawn operates a business located at 1525 Broadway, Rockford, Illinois;
2. Express Pawn uses the word “pawn” in connection with the business it conducts, including the use of the word “pawn” in signage visible to the public;
3. The manner in which Express Pawn uses the word “pawn” has a substantial likelihood of misleading the public by implying that Express Pawn is a pawnshop;
4. The Secretary has not issued Express Pawn a license to conduct a pawnbroker business or to use the word “pawn” in connection with the business it conducts; and
5. Section 1.5 of the Act [205 ILCS 510/1.5] provides that it is not lawful for an individual or a business entity to use the word “pawn,” “pawnshop,” or “pawnbroker” in connection with a business without first obtaining a license from the Secretary.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Secretary CONCLUDES:

That Express Pawn has violated Section 1.5 of the Act.

NOW THEREFORE IT IS HEREBY ORDERED:

Express Pawn shall cease and desist from using the word “pawn,” “pawnshop,” or “pawnbroker” in connection with any business activities it undertakes unless and until the Secretary issues Express Pawn a license to conduct a pawnbroker business.

ORDERED THIS 22nd DAY OF JUNE, 2005.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois;
FERNANDO E. GRILLO, SECRETARY

DIVISION OF BANKS AND REAL ESTATE

D. Lorenzo Padron
Director of Banks and Real Estate

By:

SCOTT D. CLARKE
Assistant 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 the Department of Financial and Professional Regulation 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 5/3-101, *et seq.*].