

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKS AND REAL ESTATE

IN THE MATTER OF:)
)
EZ 123 Pawn Shop)
270 W. North Avenue)
North Park Mall)
Villa Park, Illinois 60181)

DBR No. 2005-BTC-08

ORDER ASSESSING CIVIL MONETARY PENALTY

The Secretary of the Illinois Department of Financial and Professional Regulation (the “Secretary”), having conducted an examination of facts related to EZ 123 Pawn Shop, 270 W. North Avenue, North Park Mall, Villa Park, Illinois, and having found that EZ 123 Pawn Shop has committed violations of Sections 0.05(c) and 1.5 of the Pawnbroker Regulation Act [205 ILCS 510/0.05(c) and 205 ILCS 510/1.5] (the “Act”), hereby issues this ORDER pursuant to the authority provided by Section 0.05(a)(6) of the Act [205 ILCS 510/0.05(a)(6)].

FINDINGS OF FACT

The Secretary FINDS the following:

1. During at least March 2005, EZ 1223 Pawn Shop operated a pawnshop located at 270 W. North Avenue, North Park Mall, Villa Park, Illinois;
2. During the above referenced time, EZ 123 Pawn Shop was not licensed to operate as a pawnbroker as is required pursuant to the provisions of the Act;
3. During the above referenced time, EZ 123 Pawn Shop used the word “pawn” in connection with the operation of an unlicensed pawnbroker, including the use of the word “pawn” in signage visible to the public;

4. During the above referenced time, Section 0.05(c) of the Act provided that it is unlawful to operate as a pawnbroker without first obtaining a license issued by the Secretary;
5. During the above referenced time, Section 1.5 of the Act provided that it is unlawful for an individual or a business entity to conduct business by using the word “pawn” without first obtaining a license issued by the Secretary; and
6. Section 0.05(a) (6) of the Act provides the Secretary 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 Secretary.

CONCLUSIONS OF LAW

The Secretary CONCLUDES:

1. That by virtue of the operation of a pawnshop without a license issued by the Secretary, EZ 123 Pawn Shop violated Section 0.05(c) of the Act;
2. That by virtue of the use of the word “pawn” without first obtaining a license issued by the Secretary, EZ 123 Pawn Shop violated Section 1.5 of the Act; and
3. This Order is authorized and appropriate pursuant to the authority provided under Section 0.05(a) (6) of the Act,

ORDER

BASED ON THE FINDINGS AND CONCLUSIONS STATED ABOVE, IT IS HEREBY ORDERED:

1. EZ 123 Pawn Shop shall be and hereby is assessed a civil monetary penalty in the amount of \$750.00 pursuant to Section 0.05(a)(6) of the Act;
2. The civil monetary penalty in the amount of \$750.00 shall be paid no later than sixty (60) days after service of this order upon EZ 123 Pawn Shop; and

3. The civil monetary penalty in the amount of \$750.00 shall be paid by means of a certified check or money order made payable to the Illinois Department of Financial and Professional Regulation.

DATED THIS EIGHTEETH DAY OF MARCH, 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 thirty (30) days after the receipt by the Director of Banks and Real Estate 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].