

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

IN THE MATTER OF:)
) No. 2008-DB-15
Niles Loan & Diamond Broker)
119 S Main)
Algonquin, IL 60102)

ORDER ASSESSING CIVIL MONETARY PENALTY

The SECRETARY OF THE DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION (the “Secretary”), by and through his delegated representative having conducted an examination of facts related to Niles Loan & Diamond Broker, 119 S Main, Algonquin, IL (“Niles Loan & Diamond Broker”), and having found that Niles Loan & Diamond Broker (License No. PWN.0000103) 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 Secretary 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 Department, on a form provided by the Department and entitled “Pawnshop Disclosure of Business Activities Report” (“Disclosure Report”), no later than 30 calendar days following the end of each calendar year;
3. According to the postmark on the envelope, Niles Loan & Diamond Broker filed its Disclosure Report on February 1, 2008, 2 days after the filing deadline;
4. Section 0.05(a)(6) of the Act provides the Department 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 Department.

CONCLUSIONS OF LAW

The Secretary CONCLUDES:

1. That by virtue of its failure to timely file its Disclosure Report for calendar year 2007, Niles Loan & Diamond Broker violated 38 Ill. Adm. Code, Section 360.210(a).

NOW THEREFORE IT IS HEREBY ORDERED:

1. Niles Loan & Diamond Broker shall be and hereby is assessed a civil monetary penalty in the amount of \$100 (\$50 per day for 2 days) pursuant to Section 0.05(a)(6) of the Act;
2. The civil monetary penalty in the amount of \$100 shall be paid no later than sixty (60) days after service of this order upon Niles Loan & Diamond Broker; and
3. The civil monetary penalty in the amount of \$100 shall be paid by means of a certified check or money order made payable to the Illinois Department of Financial and Professional Regulation (IDFPR).

ORDERED THIS 10th DAY OF APRIL, 2008.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois;
DEAN MARTINEZ, SECRETARY

DIVISION OF BANKING

By:

JORGE A. SOLIS
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 Commissioner 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 *et seq.*].