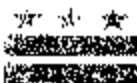


Government of the District of Columbia  
Department of Insurance, Securities and Banking

Thomas F. Hampton  
Commissioner



\_\_\_\_\_  
IN THE MATTER OF: )

ADMINISTRATIVE ORDER

Sammy's Liquors, Inc., d/b/a Sammy's )  
Liquors )

Order No. BB-06-02

CONSENT AGREEMENT AND ORDER

The Commissioner of the District of Columbia Department of Insurance, Securities and Banking ("Commissioner"), having the power to administer and provide for enforcement of the Check Cashers Act of 1998, effective May 12, 1998 (D.C. Law 12-111; D.C. Official Code § 26-301 et seq. (2001)) ("Act"), upon due consideration of the subject matter hereof, has determined as follows:

STATEMENT OF FACTS

1. Sammy's Liquors Inc., d/b/a Sammy's Liquors ("Respondent") operates a liquor store at 2725 Bladensburg Road, NE, Washington, DC 20018 ("Business Location").
2. Respondent has been engaged in the cashing of checks for a fee at the Business Location since December 1, 2001 ("Unlicensed Activities") and, as such, was required to have a license as a Check Casher pursuant to section 3 of the Act since December 1, 2001.
3. Respondent does not have a Check Cashers license and did not have a Check Cashers license when it engaged in the Unlicensed Activities.

4. Respondent represents that it purchased its business from the previous owner on December 1, 2001.
5. The previous owners of the business were licensed as a Check Casher until December 31, 1999.
6. Respondent represents that it inadvertently believed it was properly licensed as a Check Casher under the Act.
7. On May 1, 2006, Respondent filed an application for a Check Cashers license pursuant to section 5 of the Act.
8. Section 9 of the Act provides that the Commissioner may deny the issuance of a license where it is found that the applicant will not conduct its business honestly and carefully.
9. In order to comply with the Act and to redress its Unlicensed Activities, Respondent admits that it inadvertently violated the Act and offers to settle this matter without a hearing. Further, Respondent waives its right to the administrative hearing process under sections 17 and 22 of the Act, or under the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2 501 et seq. (2001)) ("APA") regarding the Unlicensed Activities, waives its right to appeal this Consent Agreement and Order ("Order"), and agrees to the conditions set forth herein.

### CONCLUSION OF LAW

Respondent, at the Business Location, inadvertently violated section 3 of the Act by engaging in the cashing of checks within the meaning of section 2(2) of the Act without first having a license as required by section 3 of the Act.

### ORDER

WHEREAS, the Department of Insurance, Securities and Banking ("Department"), based on information submitted by the Respondent, is satisfied that the violations alleged herein were not willful and that the Respondent is now taking corrective action; and

WHEREAS, Respondent wishes to resolve the violations of the Act by entering into this Order with the Department, subject to the approval of the Commissioner, as follows:

1. The Respondent waives its right to further notice and hearing in this matter.
2. The Respondent agrees to pay a fine in the amount of eight hundred and thirty-four dollars (\$834) to the Department upon execution of this Agreement.
3. The Respondent agrees to pay four (four) years of license renewal fees of two hundred dollars (\$200) per year, for a total of eight hundred dollars (\$800), for the fees that would have been paid had the license been in effect since December 2001.
4. Except as provided in paragraphs 5 and 6 of this section, the Department agrees not to pursue other administrative remedies available under its administrative authority relating to the Unlicensed Activities and also agrees not to pursue additional levies, fees, or actions with Respondent in connection with the Unlicensed Activities.
5. The Department hereby accepts Respondent's payment of the fine and the renewal fees. The Department may take any action necessary to enforce the provisions of this Order, including, but not limited to, the suspension or revocation of a Check Casher license issued to Respondent, the issuance of a cease and desist order, or the assessment of a fine or penalty. Additionally, this Order shall not affect the jurisdiction or authority of the Department to take any administrative or regulatory action to administer the Act or any other law administered by the Department which is applicable to Respondent or its business for actions not covered by this Order.
6. In order to resolve the violations of the Act, Respondent agrees that the Department may immediately suspend or revoke a Check Casher license issued to Respondent upon Respondent's failure to satisfy any of the conditions set forth in this Order, and that Respondent hereby waives any right to notice or a hearing provided under sections 17 or 22 of the Act, or under the APA, and waives its right to appeal this Order.

**ACCORDINGLY, IT IS HEREBY ORDERED:**


1. That Respondent shall ensure that proper procedures are implemented to preclude any future non-compliance with the Act and shall not engage in the cashing of checks unless it receives a Check Cashers license from the Department.
2. That in lieu of taking any enforcement action, the Commissioner will agree to accept Respondent's payment of a fine in the amount of eight hundred thirty four dollars (\$834) and licensing renewal fees of eight hundred dollars (\$800) made payable to the D.C. Treasurer.
3. If Respondent applies for, and receives, a Check Cashers license from the Department, Respondent agrees to provide a bond in conformance with the requirements established in section 7(a) of the Act; provided that the amount of the bond shall be ten thousand dollars (\$10,000) for the initial license period and the subsequent renewal license period.
4. Respondent shall notify the Department within two (2) business days of any changes in the ownership of Respondent.
5. Within ten (10) days of the execution of this Agreement, Respondent shall submit to the Department a report signed by an authorized officer of Respondent that discloses any outstanding consumer complaints or inquiries involving the Respondent's business as of the date of this Agreement.
6. Respondent shall ensure that internal controls and operating procedures are implemented to preclude any future non-compliance with the Act. Copies of internal controls and operating procedures shall be submitted to the Department within thirty (30) of the execution of this Agreement.
7. That the Commissioner finds this Agreement necessary and appropriate and in the public interest for the protection of check cashing consumers and consistent with the purposes fairly intended by the policy and provisions of the Act.

Agreed and Consented to:

Dated: District of Columbia

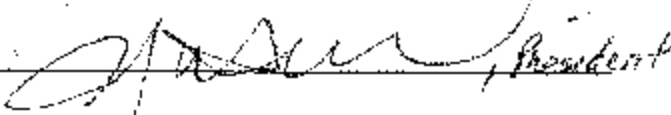
November 28, 2006

**DEPARTMENT OF INSURANCE, SECURITIES AND BANKING**

BY:   
Howard Amer  
Associate Commissioner, Banking Bureau

**RESPONDENT**

Sammy's Liquors Inc, Inc., d/b/a Sammy's Liquors

BY: , President

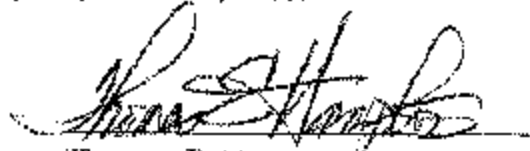
**SO ORDERED:**

Dated this 30<sup>th</sup> day of November, 2006.

**APPROVED and so ORDERED:**  
In Witness Whereof, I have hereunto  
set my hand and affixed the official  
seal of this Department in the District  
of Columbia, this 5<sup>th</sup> day of



~~December~~ November, 2006.

  
Thomas E. Hampton  
Commissioner