



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

Stephen C. Taylor
Commissioner

IN THE MATTER OF:)	
)	
Cardtronics USA, Inc.)	
3250 Briarpark Drive, Suite 400)	
Houston, TX 77042)	
)	
)	
Respondent)	NO.: BB-SC-03-17
)	
)	

FINAL ORDER

The Commissioner of the Department of Insurance, Securities and Banking (“Department”) hereby declares that Respondent Cardtronics USA, Inc. (“Cardtronics”) is in default of the June 2, 2017 Order to Show Cause (“Order”) that was issued in this matter; therefore the Order is permanent and will remain in full force and effect until and unless later modified or vacated by this Commissioner. Cardtronics is ORDERED to pay a penalty of ninety-eight thousand dollars (\$98,000) for violations of the Automated Teller Machine Act of 2000 (“Act”), effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code §§ 26-131.01–131.13).

I. JURISDICTION

The Commissioner issues this Final Order pursuant to the Department’s authority to regulate automated teller machines under the Act, in accordance with the provisions of D.C. Official Code § 26-131.12, the District of Columbia Administrative Procedure Act (“DCAPA”), D.C. Official Code § 2-509, and the Rules of Practice and Procedure for Hearings, Title 26, Subtitle A of the District of Columbia Municipal Regulations § 3804.11.

II. STATEMENT OF FACTS

1. On June 2, 2017, the Commissioner issued Cardtronics an Order as to why the Department should not assess a penalty of ninety-eight thousand dollars (\$98,000) against Cardtronics.
2. On June 7, 2017 at 10:04 a.m., Cardtronic's Agent for Service of Process in the District, Capitol Corporate Service, Inc., received the Order via Federal Express at 1090 Vermont Avenue, NW in the District.
3. On June 7, 2017 at 7:15 a.m., S. Edger at the front desk of Cardtronic's Houston, Texas location received the Order via Federal Express at 3250 Briarpark Drive.
4. In the June 2, 2017 Order Cardtronics was informed that it could submit a written request for a hearing within twenty (20) days of receipt of the Order. Cardtronics was also notified that if it failed to request a hearing within twenty (20) days of receipt or delivery of the Order, it would be deemed in default and the Order would, on the twenty-first (21st) day, become permanent and remain in full force and effect until and unless later modified or vacated by this Commissioner.
5. Cardtronics did not submit a written request for a hearing within twenty (20) days of receipt of the Order; therefore, the Order became final.

III. VIOLATIONS

The Department has sufficient evidence which, if not refuted by the Respondent, would justify a finding that the Respondent has violated the following section of the District of Columbia Official Code:

D.C. Official Code § 26-131.10 (a), which provides that an automated teller machine operated in the District shall be registered with the Commissioner by the operator of the automated teller machine. The operator shall pay annually to the Commissioner a nonrefundable registration fee of \$500 for the first automated teller machine operated by the operator in the District and \$50 for each additional automated teller machine operated by the operator in the District.

IV. ORDER

It is hereby determined that, because Cardtronics failed to respond to the Order, Cardtronics is in default and the June 2, 2017 Order is permanent.

Cardtronics has engaged in acts that constitute a violation of the Act and its implementing rules. It should therefore pay a financial penalty of \$98,000 for operating 98 non-registered automated teller machines from November 1, 2013, through May 15, 2017.

Based on the foregoing, upon receipt of this Order, Cardtronics is hereby ORDERED to pay a penalty of \$98,000 for violations of the Act. The total payment shall be made by certified check or money order, payable on behalf of Cardtronics to the D.C. Treasurer and delivered to the attention of Stephen C. Taylor, Commissioner, Department of Insurance, Securities and Banking, 810 First Street, NE, Suite 701, Washington, DC 20002.

SEAL



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Insurance, Securities and Banking in the District of Columbia.



Stephen C. Taylor
Commissioner

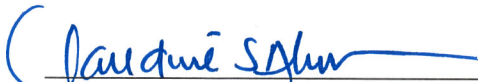


Date

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of July, 2017 a copy of the foregoing ORDER TO SHOW CAUSE was mailed first class mail, postage pre-paid, certified mail, return receipt requested to:

Agent for Service
Capitol Corporate Services, Inc.
1090 Vermont Ave., NW, Suite 910
Washington, DC 20005


M. Claudine Alula, Paralegal Specialist