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4 **STATE OF WASHINGTON**  
5 **DEPARTMENT OF FINANCIAL INSTITUTIONS**  
6 **CONSUMER SERVICES DIVISION**

7 **IN THE MATTER OF DETERMINING:**  
8 Whether there has been a violation of the Check  
9 Cashers and Sellers Act of Washington by:

10 **CASH 4 CHECKS LLC D/B/A ROMAN**  
11 **CHAVARRIA,**  
12 License No. 530-CC-29394

13 Respondent.

C-14-1523-14-TD01

TEMPORARY ORDER TO  
CEASE AND DESIST

14 THE STATE OF WASHINGTON TO: CASH 4 CHECKS LLC D/B/A ROMAN CHAVARRIA

15 COMES NOW the Director of the Washington State Department of Financial Institutions  
16 ("Director"), by and through his designee Deborah Bortner, Division Director, Division of Consumer  
17 Services, and finding that the public is likely to be substantially injured by delay in issuing a cease and  
18 desist order, the Director, through his designee, enters this temporary cease and desist order pursuant to  
19 chapter 31.45 RCW, the Check Cashers and Sellers Act ("Act"), based on the following findings:

20 **I. FACTUAL FINDINGS**

21 **1.1 Respondent Cash 4 Checks LLC d/b/a Roman Chavarria ("Respondent")** was licensed by  
22 the Department of Financial Institutions of the State of Washington ("Department") to conduct  
23 business as a check casher on February 3, 2006, and has continued to be licensed to date. Respondent  
24 is licensed to conduct the business of a check casher at 11226 SE 264<sup>th</sup> Street, Kent, Washington  
98030.

**1.2 Failure to Comply with Director's Investigative Authority – Complaint Investigation.** On or about May 16, 2014, the Department issued a Directive to Respondent to provide records related to the allegations contained in at least one consumer complaint regarding possible abnormalities in his check cashing business. Respondent was required to provide a response to the Department on or before June 2, 2014. After receiving no response, the Department issued a second copy of the Directive on June 11, 2014, to Respondent's email address at rcntc01@msn.com. The Department requested that Respondent provide a response by June 13, 2014. To date, Respondent has not provided a response to the Department's Directive.

**1.3 Failure to Comply with Director's Investigative Authority – Business Examination.**

On July 21, 2014, the Department sent Respondent an entry letter regarding a business examination, along with a compliance examination management questionnaire that was to be completed by September 15, 2014. On August 5, 2014, Respondent submitted an incomplete management questionnaire.

The Department's Examiner in Charge ("EIC") attempted to schedule the examination of Respondent's business that had been initially set for October 14, 2014, and October 15, 2014, by calling Respondent on August 14, 2014, September 23, 2014, and October 13, 2014. The EIC also sent a notification on October 13, 2014, of the scheduled examination to Respondent's email address at rcntc01@msn.com. To date, Respondent has not complied with the Department's requests for a business examination.

**1.4 Substantial Injury to Public.** Respondent's failure to comply with the Director's authority prevents the Department from providing regulatory oversight into Respondent's transactions with Washington consumers and creates a significant risk of substantial injury to the public.

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## II. GROUNDS FOR ENTRY OF ORDER

**2.1 Requirement to Comply with the Department's Investigative Authority.** Based on the Factual Allegations set forth in Section I above, Respondent is in apparent violation of RCW 31.45.100 and RCW 31.45.110(k) for failing to comply with the Director's investigation authority, for failing, upon demand by the Director or the Director's designee, to disclose any information within his or her knowledge to, or to produce any document, book, or record in his or her possession for inspection of, the Director or Director's designee, and for failing to comply with the Director's requests for a business examination.

## III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST

**3.1 Authority to Issue Temporary Order to Cease and Desist.** Pursuant to RCW 31.45.120, whenever the Director determines that a violation of the Act or Rules, or their continuation, is likely to cause substantial injury to the public, the Director may issue a temporary cease and desist order requiring the licensee to cease and desist from the violation or practice. The order becomes effective upon service upon the licensee and remains effective unless set aside, limited, or suspended by a court under RCW 31.45.130 pending the completion of the administrative proceedings under the notice and until such time as the director dismisses the charges specified in the notice or until the effective date of the cease and desist order issued against the licensee under RCW 31.45.110.

## IV. ORDER

Based on the above Factual Findings, Grounds for Entry of Order, and Authority to Issue Temporary Order to Cease and Desist, and pursuant to RCW 31.45.120 and RCW 31.45.110(1)(b), the Director determines the acts and conduct of Respondent, and the continuation of such conduct, is likely to cause substantial injury to the public. Therefore, the Director **ORDERS** that:

1 4.1 Respondent shall immediately cease and desist from engaging in the business of a check  
2 cashier; and

3 4.2 This order shall take effect immediately upon service and shall remain in effect unless set  
4 aside, limited, or suspended by a court under RCW 31.45.130.

5 NOTICE

6 YOU ARE ENTITLED TO A HEARING PURSUANT TO CHAPTER 31.45 RCW TO  
7 DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU DESIRE A  
8 HEARING, THEN YOU MUST RETURN THE ATTACHED APPLICATION FOR ADJUDICATIVE  
9 HEARING INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO COMPLETE AND  
10 RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO THAT IT IS  
11 RECEIVED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN 20 DAYS OF THE  
12 DATE THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND  
13 WILL RESULT IN THE LOSS OF YOUR RIGHT TO A HEARING. SERVICE ON YOU IS  
14 DEFINED AS POSTING IN THE U.S. MAIL, POSTAGE PREPAID, TO YOUR LAST KNOWN  
15 ADDRESS. BE ADVISED THAT DEFAULT WILL RESULT IN THIS ORDER TO CEASE AND  
16 DESIST BECOMING PERMANENT ON THE 21ST DAY FOLLOWING SERVICE OF THIS  
17 ORDER UPON YOU.

18 WITHIN TEN DAYS AFTER YOU HAVE BEEN SERVED WITH THIS TEMPORARY  
19 CEASE AND DESIST ORDER, YOU MAY APPLY TO THE SUPERIOR COURT IN THE  
20 COUNTY OF YOUR PRINCIPAL PLACE OF BUSINESS FOR AN INJUNCTION SETTING  
21 ASIDE, LIMITING, OR SUSPENDING THIS ORDER PENDING THE COMPLETION OF THE  
22 ADMINISTRATIVE PROCEEDINGS PURSUANT TO THIS NOTICE.

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1 DATED this 1<sup>st</sup> day of November, 2014.



[REDACTED]

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

6 Presented by:

7 [REDACTED]

BARBARA PENTTILA  
Financial Legal Examiner

9 Approved by:

10 [REDACTED]

CHARLES E. CLARK  
Enforcement Chief