



3. The Licensing Division ("Licensing") is primarily responsible for investigating applications and issuing or denying licenses under the CCLA.

4. On or around February 26, 2007 East Philadelphia applied to become licensed as a check casher under the CCLA with a principal place of business located at 901 East Philadelphia Street, York, PA 17403-1197 (the "York Location") and a branch office located at 167 E. King Street, Fl. 1, Lancaster, PA 17602-2803 (the "Lancaster Location")

5. Between March 4, 2007, and April 5, 2007, the Licensing Division conducted an investigation of East Philadelphia at both the York Location and the Lancaster Location (the "Investigation").

6. East Philadelphia had been told by representatives of the Department not to cash checks for a fee while the license applications were pending.

7. The Investigation revealed that East Philadelphia was cashing checks for a fee at both the York Location and the Lancaster Location even though East Philadelphia was not yet licensed to cash checks for a fee at either location.

8. Section 301(a) of the CCLA provides, in relevant part, that "[n]o person or business entity shall engage in the business of cashing checks for a fee without first obtaining a license under this act for each fixed location or mobile unit." 63 P.S. § 2311(a).

9. On May 1, 2007 the Department issued a Cease and Desist Order against East Philadelphia to cease cashing checks for a fee unless and until such time as East Philadelphia is licensed. See Exhibit A.

10. Section 507 of the CCLA provides, in relevant part, that "[a]ny person who is subject to the provisions of this act who violates any of the provisions of this act shall be subject

to a civil penalty levied by the department of up to \$2,000 for each violation. The civil penalty shall specifically apply to licensed and unlicensed activity under this act."

11. Section 104(1) of the CCLA grants the Department the authority to issue orders as necessary for the administration and enforcement of the CCLA. 63 P.S. § 2304(1)

### **VIOLATION**

12. East Philadelphia is in violation of Section 301(a) of the CCLA by cashing checks for a fee when it was not licensed to do so. 63 P.S. § 2311(a).

### **RELIEF**

13. Fine. East Philadelphia shall pay to the Department a fine of \$5,000 to be paid in five (5) monthly installments of \$1,000 each, the first installment being due within thirty (30) days of the Effective Date of this Order.

14. Corrective Action.

a. East Philadelphia shall withdraw all applications for licensure and not submit any additional applications for licensure for a period of one year from the Effective Date of the Order.

b. East Philadelphia shall not cash any checks for a fee unless and until such time as East Philadelphia is licensed to do so.

### **FURTHER PROVISIONS**

15. Consent. East Philadelphia hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau's order authority under the CCLA and agrees that it understands all of the terms and conditions contained herein. East Philadelphia, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

16. Publication and Release. East Philadelphia consents to the publication and release of this Order.

17. Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Bureau and East Philadelphia.

18. Binding Nature. The Bureau, East Philadelphia, and all officers, owners, directors, employees, heirs and assigns of East Philadelphia intend to be and are legally bound by the terms of this Order.

19. Counsel. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

20. Effectiveness. East Philadelphia hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes the Order (the "Effective Date").

21. Other Enforcement Action.

a. The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against East Philadelphia in the future regarding all matters not resolved by this Order.

b. East Philadelphia acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department or office regarding matters within this Order.

22. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

23. Counterparts. This Order may be executed in separate counterparts and by facsimile.

24. Titles. The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

**WHEREFORE**, in consideration of the foregoing, including the recital paragraphs, the Bureau and East Philadelphia intending to be legally bound do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING  
BUREAU OF SUPERVISION  
AND ENFORCEMENT**

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James Keiser, Administrator  
Bureau of Supervision and  
Enforcement  
Department of Banking

Date: January 29, 2008

FOR EAST PHILADELPHIA BUSINESS AGENCY, LLC

MEMBER  
(Title)

Date: 01-07-08