

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF BANKING AND :
SECURITIES, COMPLIANCE OFFICE :

v. :

DOCKET NO. 24 0018 (BNK-ORD)

JETTY NATIONAL, INC. :

NOTICE TO ANSWER AND REQUEST A HEARING

You, Jetty National, Inc., have the right to challenge the attached Order (“Order”) by filing an Answer, in writing, with the Docket Clerk **within 30 days** of the date of this Order as required by 1 Pa. Code § 35.37. **If you do not file an Answer within 30 days, then you will waive your right to a hearing and the Banking and Securities Commission (“Commission”) may enter a final order against you.**

Your Answer must be in writing. Your Answer must specifically admit or deny the allegations in the Order, set forth the facts you rely upon and state concisely the law you rely upon. General denials of the allegations set forth in the Order are not sufficient; you must support your denials with specific facts. Failure to support your denials with specific facts may cause the Commission to deem the facts in the Order as admitted and to enter a final order against you, without a hearing.

The Answer and any other documents relating to this matter must be filed via first-class mail and electronic mail with the Docket Clerk:

Linnea Freeberg, Docket Clerk
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101
Email: RA-BNDOCKETCLERK@pa.gov

Further, you must serve a copy of the Answer and any other documents on the person who signed the attached Order by providing a hard and electronic copy to his or her counsel indicated below:

Office of Chief Counsel
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101
Email: RA-BNCHIEFCOUNSEL@pa.gov

Once you file your Answer, you will be notified of pertinent information such as the name of the presiding officer designated by the Commission to hear this matter and, if a hearing is scheduled, the date, time and location of the hearing. You have the right to be represented by an attorney.

All procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§501-508, 701-704, and the General Rules of Administrative Practices and Procedures, 1 Pa. Code §§31.1-35.251.

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ORDER

1. The Department of Banking and Securities (“Department”) is the Commonwealth of Pennsylvania’s administrative agency authorized and empowered to administer and enforce the Consumer Discount Company Act, 7 P.S. § 6201 *et seq.* (“CDCA”).

2. The Compliance Office is primarily responsible for administering and enforcing the CDCA for the Department.

3. Jetty National, Inc.(“Jetty”) is currently licensed by the Department as a Consumer Discount Company, license no.105180.

4. Jetty maintains its principal place of business at 14 Wall Street, 20th Floor, New York, New York 10005

BACKGROUND

5. Section 10 of the CDCA, 7 P.S. § 6210, imposes certain reporting requirements on consumer discount company licensees like Jetty.

6. Section 10 provides in relevant part: “Licensees operating under the provisions of this act shall annually, on or before the first day of March, file a report with the Secretary of Banking, giving such relevant information concerning the business and operations during the previous calendar year as the Secretary of Banking may require.” 7 P.S. § 6210.

7. The Department, acting pursuant to its authority under Section 10 of the CDCA, 7 P.S. § 6210, requires each consumer discount company licensee to complete and file an Annual Report for the previous calendar year through a self-service web-based system (the “Portal”) by March 1 of the current year.

8. On January 1, 2024, the Department sent an email to Jetty informing Jetty that its Annual Report for 2023 must be filed on or before March 1, 2024.

9. In addition, the Department sent follow-up emails to Jetty reminding Jetty of the March 1, 2024 filing deadline on January 16, 2024; January 22, 2024; January 29, 2024; February 6, 2024; February 12, 2024; February 20, 2024; February 26, 2024; and February 29, 2024.

10. On February 23, 2024, the Compliance Office called Jetty’s compliance contact, [Redacted], and left a voicemail message.

11. On February 27, 2024, [Redacted] contacted the Compliance Office and stated that he was no longer associated with Jetty. [Redacted] also stated that he would ask his predecessor at Jetty to contact the Compliance Office.

12. On March 1, 2024, the Compliance Office called [Redacted], a Jetty Officer, at [Redacted], and [Redacted], Jetty’s Vice President, at [Redacted]. The Compliance Office left voicemail messages with both individuals.

13. That same day, [Redacted] contacted the Compliance Office and requested that the Compliance Office send him the annual report template via email at [Redacted]. The Compliance Office complied with [Redacted] request.

14. Notwithstanding the efforts of the Department and the Compliance Office described above, Jetty failed to file a completed Annual Report for the calendar year of 2023 by the deadline of March 1, 2024.

15. Instead, Jetty filed the Annual Report twenty-four days after the deadline on March 25, 2024.

AUTHORITY

16. Section 10 of the CDCA provides in relevant part: “For failure to file such reports within the time specified, the licensee shall pay to the Secretary of Banking a penalty of ten dollars (\$10) for each calendar day which such report is overdue. . . .” 7 P.S. § 6210.

17. In addition, Section 202.D of the Department of Banking and Securities Code provides: “The department may issue orders, statements of policy and interpretive letters necessary and appropriate to administer this act or any other statute within the department’s jurisdiction to administer or enforce.” 71 P.S. § 733-202.D.

VIOLATION

18. Jetty violated Section 10 of the CDCA, 7 P.S. § 6210, by filing an Annual Report concerning its business and operations for calendar year 2023 twenty-four days after the March 1, 2024 filing deadline.

AND NOW THEREFORE, because Jetty failed to timely file an Annual Report for the calendar year of 2023, the Compliance Office, pursuant to the authority referenced above, hereby Orders the following:

19. Jetty shall pay the Department a penalty of \$240 (two hundred forty dollars), which is payable within 30 days of the date of this Order.

20. Payment shall be made through the Department’s Portal <https://www.portal.dobs.pa.gov>.

21. Failure to pay the penalty within 30 days may result in additional enforcement action, including, but not limited to, the suspension, revocation or refusal to renew Jetty’s license.

22. Jetty shall, within 30 days of the date of this Order, update all portal information including, but not limited to, email addresses, mobile or work telephone numbers, other electronic addresses or contact information in addition to ordinary mailing addresses, and shall ensure that such information remains updated on a going forward basis.

23. Nothing in this Order shall be interpreted to prevent the Compliance Office from taking any further administrative actions as deemed necessary.

IT IS SO ORDERED.

**FOR THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES,
COMPLIANCE OFFICE**

Redacted

John Talalai, Director
Compliance Office
Pennsylvania Department of Banking and Securities



04/22/2024

(Date)

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **Order** upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code §§ 33.35, 33.36 and 33.37:

BY CERTIFIED AND FIRST-CLASS MAIL

Jetty National, Inc.
14 Wall Street, 20th Floor
New York, NY 10005

Dated this 23rd day of April 2024.

Redacted

Eileen Smith, Legal Office Administrator
Office of Chief Counsel
FOR: Commonwealth of Pennsylvania
Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17010