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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING

PA DEPT OF BANKING

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING, BUREAU
OF COMPLIANCE, INVESTIGATION AND
LICENSING

v.

NOCHECK, LLC D/B/A MYBILLERS.COM,
PAYMENT SERVICES, ONLINE TUITION
PAYMENT, 2FASTPAY, CITY PAYMENTS
and CHUCK KOPKO, individually

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: Docket No.: 09 0084 (ENF-C&D)
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CEASE AND DESIST ORDER

WHEREAS, the Commonwealth of Pennsylvania Department of Banking (“Department”) is the Pennsylvania state governmental administrative agency authorized and empowered to administer and enforce the act known as the Money Transmitter Act (“MTA”), 7 P.S. §6101, *et. seq.*; and

WHEREAS, the Department’s Bureau of Compliance, Investigation and Licensing (“Bureau”) is the Bureau within the Department with the primary responsibility of administering and enforcing the MTA; and

WHEREAS, NoCheck, LLC d/b/a MyBillers.com, Payment Services, Online Tuition Payment, 2FastPay and City Payments and Chuck Kopko, individually, (hereafter “NoCheck”) is located at 39555 Orchard Hill Place, Suite L75, Novi, MI 48375; and

WHEREAS, NoCheck is a Limited Liability Company formed on January 7, 2008 and registered with the Michigan Department of Energy, Labor & Economic Growth; and

WHEREAS, Chuck Kopko is the President of NoCheck, LLC d/b/a MyBillers.com, Payment Services, Online Tuition Payment, 2FastPay and City Payments; and

WHEREAS, NoCheck is not licensed as a money transmitter in Pennsylvania pursuant to the provisions of the MTA; and

WHEREAS, NoCheck advertises services on its website, located at www.nocheck.com (See a copy of relevant pages of its website attached as Exhibit A); and

WHEREAS, the website provides that, “NoCheck offers a range of services for paying bills or accepting payments from consumers. Here are some examples: MyBillers.com, Payment services, Online Tuition Payment, 2FastPay, City Payments” (See Exhibit A, p.3); and

WHEREAS, on April 30, 2009 the Department received a complaint from Ms. Margaret McCarthy (“McCarthy”) who is the owner and operator of Under Wraps located at 6231 Saltsburg Road, Penn Hills, PA 15235-2067; and

WHEREAS, McCarthy stated that her business collects monies from consumers and, in turn, forwards the monies to NoCheck which then transmits the monies to pay bills, such as utility bills, mortgage payments and car loans, on behalf of the consumers; and

WHEREAS, McCarthy asserted that she used the NoCheck system since December 2008; and

WHEREAS, McCarthy claimed that NoCheck debited her checking account on the scheduled date in the amount of \$10,261.62 for the payment of utilities, car payment, mortgage payments, etc. for the Under Wraps’ consumers; and

WHEREAS, NoCheck then debited McCarthy’s account a second time in the same amount, \$10,251.62, on the following day causing the account to overdraw; and

WHEREAS, on May 6, 2009, the Bureau contacted NoCheck to ascertain the nature and extent of its bill payment program to determine if monies are being transmitted, and

WHEREAS, NoCheck stated, through its President, that it contracts with and employs agents that collect the monies from consumers and then transfers those monies to NoCheck which then forwards the monies to bill payees such as utilities, cellular phone service providers and other retail establishments, and

WHEREAS, Section 2 of the Money Transmitter Act provides that,

No person shall engage in the business of transmitting money by means of a transmittal instrument for a fee or other consideration without first having obtained a license from the Department of Banking nor shall any person engage in such business as an agent except as an agent of a person licensed or exempted under this act. . . .

7 P.S. §6102 (emphasis added); and

WHEREAS, the MTA defines a transmittal instrument as “any check, draft, money order or personal money order or *method for the payment of money* or transmittal of credit. . . .” 7 P.S. §6101 (emphasis added); and

WHEREAS, NoCheck’s payment service is a “method for the payment” of money to various bill payees on behalf of consumers and, thus, is a transmittal instrument as defined under the MTA; and

WHEREAS, by accepting consumers’ monies from an agent in Pennsylvania and then transmitting the monies to the bill payees, NoCheck engaged in the business of transmitting money by means of a transmittal instrument under the MTA; and

WHEREAS, NoCheck is engaged in the business of transmitting money in Pennsylvania although it is not licensed to do so; and

WHEREAS, the MTA provides, in relevant part, that

Any person, whether licensed or not licensed under the provisions of this act, or any director, officer, employee or agent of any such person, who shall violate the provisions of this act or shall direct or consent to such violations shall be subject to a fine levied by the Department of Banking of up to two thousand dollars (\$2,000) for each offense.

7 P.S. §6116; and

AND NOW THEREFORE, because NoCheck was engaging in the business of money transmission in Pennsylvania, when it was not licensed to do so, the Bureau hereby imposes the following Order (“Order”). Upon the effective date of this Order:

1. NoCheck shall cease and desist from transmitting money as set forth in the MTA unless and until NoCheck is licensed or otherwise authorized to engage in such business in Pennsylvania; and

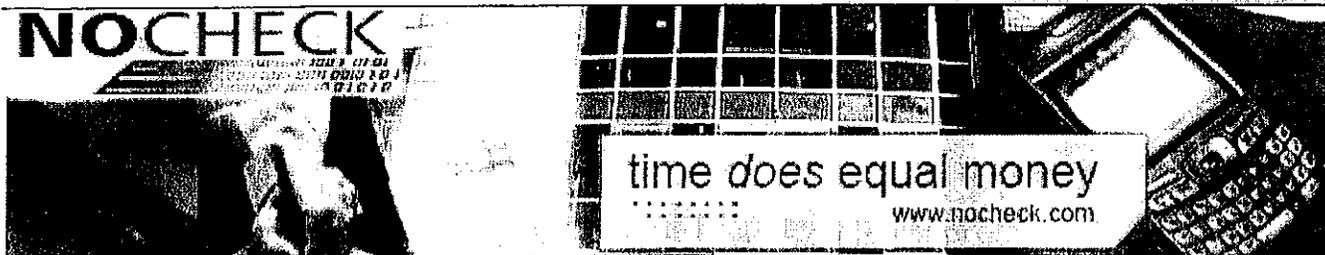
2. NoCheck shall finish all transactions currently in process, so as to avoid causing harm to Pennsylvania consumers, but shall not accept any new transactions or business from any agents in Pennsylvania, until licensed or otherwise authorized to engage in such business in Pennsylvania; and

3. Nothing in this Order shall prevent the Bureau from taking any further administrative action, including but not limited to, the imposition of fines and additional penalties, as deemed necessary.

IT IS SO ORDERED.

Ryan Walsh, Administrator
Department of Banking,
Bureau of Compliance, Investigation and Licensing

May 8, 2009
Date



Welcome

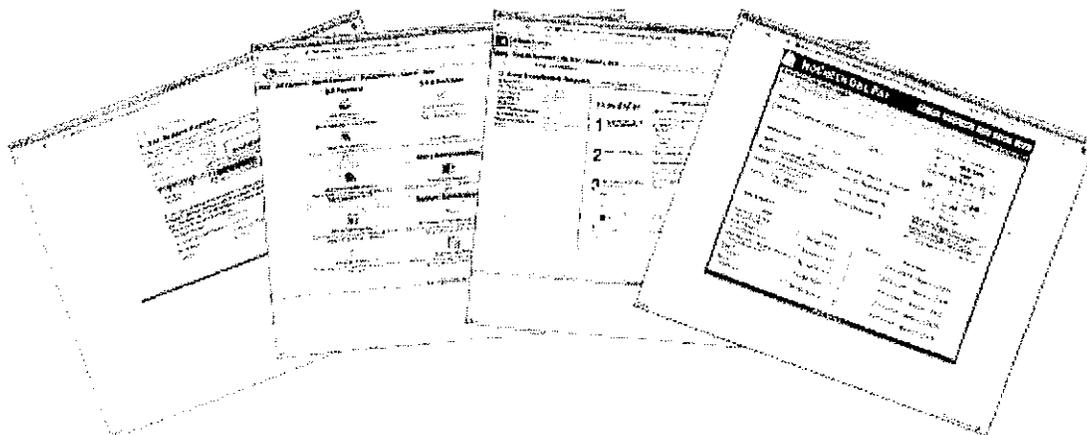
There's no doubt about it: In the world of business, Time does equal money.

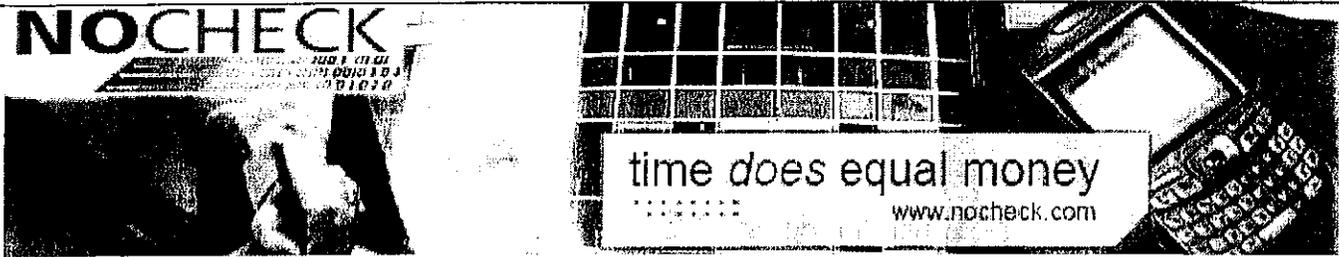
That's the basic premise on which our company was founded. Yet, we at NoCheck also know that time's worth is not defined exclusively in financial terms.

We know the importance of peace of mind; the kind that comes with fast, secure and efficient data transfer and management.

That's where NoCheck comes in, we are your shrinking budget solution!

Click the image below to go directly to our product offerings.





Our Mission:

NoCheck's mission is to obtain high volume sales through low profit margin with innovative and creative teamwork. We strive to further the advancement of electronic payment processing around the world, facilitate ease of use to our customers, and maintain the highest standard of excellence in our industry.

Being PCI and CISP compliant signifies that NoCheck has been inspected and deemed secure by Visa and Mastercard to ensure the safety and protection of cardholders sensitive and personal information. NoCheck has the experience to reliably service client transactions, regardless of size and any unique needs. We have helped large and small organizations from both the corporate and public sectors. As a crucial source of revenue, digital transactions today drive most organizations.

As well as being PCI and CISP compliant, NoCheck is also a NACHA member in the business of providing a wide range of application services including:

- Secure electronic data transfer (ie. Banking or E-Payment)
- Online Payment Services - electronic payment processing
- Interactive Voice Response Systems (IVR)
- Document imaging and storage
- Database Management
- Secure, courteous and reliable Phone Service Center personnel



ONLINE PAYMENT SERVICES

NoCheck offers a range of services for paying bills or accepting payments from consumers. Here are some examples:

- MyBillers.com
- Payment services
- Online Tuition Payment
- 2FastPay
- City Payments

ROUTE CHECK

RouteCheck solves a problem that applies to many firms trying to complete ACH transactions. As a payment is presented to the ACH network that does not contain a valid Routing and Transit number, account number or name of the Receiving Depository Financial Institution (RDFI), the Federal Reserve Bank will terminate the transfer and return it to the Originating Depository Financial Institution (ODFI).

PHONE CHECK

More and more organizations are seeking to reduce the burden of costly customer service staff by using telephone automation to facilitate electronic debit applications and account payments. So we've developed an amazingly capable system to do just that...

DOCUMENT IMAGING

NoCheck has a staff of trained and seasoned data entry operators. The operators and facilities, are SAS70, and HIPAA compliant. NoCheck also incorporates data entry techniques which offer clients accuracy rates of up to 99%.

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PAYMENT, 2FASTPAY, CITY PAYMENTS :
and CHUCK KOPKO, individually :

CERTIFICATE OF SERVICE

I hereby certify that on this day, May 8, 2009, I have served a copy of this Cease and Desist Order, upon those named below in accordance with the requirements of 1 Pa. Code §33.31:

**CERTIFIED MAIL RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL:**

NoCheck, LLC
c/o Chuck Kopko
39555 Orchard Hill Place
Suite L75
Novi, MI 48375

Begene A. Bahl, Assistant Counsel
Pennsylvania Department of Banking
Market Square Plaza
17 North Second Street, Suite 1300
Harrisburg, PA 17101