

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES

FILED

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

v.

ALMONTE CONSULTING AND TAX  
SERVICES, LLC and  
AMAURIS ALMONTE, individually

PA DEPARTMENT OF  
BANKING AND SECURITIES

Docket No. 14 0087 (BNK-CAO)  
ORD

**CONSENT AGREEMENT AND ORDER**

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities (“Department”), Bureau of Compliance and Licensing (“Bureau”), conducted a review of the business practices of Almonte Consulting and Tax Services, LLC (“Almonte Consulting”) and Amauris Almonte, individually, and its officers, employees and directors. Based on the results of its review, the Bureau concludes that Almonte Consulting and Amauris Almonte operated in violation of 63 P.S. § 501(a)(5) *et seq.*, the Check Casher Licensing Act. The parties to the above-captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the settlement of the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order (“Order”).

**BACKGROUND**

1. The Department is the Commonwealth of Pennsylvania’s administrative agency authorized and empowered to administer and enforce the Check Casher Licensing Act (“CCLA”).

2. The Bureau is primarily responsible for administering and enforcing the CCLA for the Department.

3. Almonte Consulting is located at 243 N. 7<sup>th</sup> Street, Allentown, Pennsylvania 18102.

4. The Department licenses Almonte Consulting as a check casher, License No. 20312, Nationwide Mortgage Licensing System and Registry ("NMLS") Identification No. 1040573.

5. Amauris Almonte is a fifty percent (50%) owner of Almonte Consulting.

6. Almonte Consulting provides at a minimum tax services, notary services and check cashing.

#### False Documentation

7. In September of 2013 the Department conducted a review of unpaid examination invoices.

8. During this review, the Department discovered paperwork irregularities in conjunction with four check casher applications submitted to the Bureau.

9. The Bureau noticed the signatures of the same named people varied from document to document in the application.

10. Department's check casher license application includes documents which must be notarized.

11. The Department had previously granted licenses to the four check casher applicants.

12. Upon further investigation, the Bureau determined that Almonte Consulting helped the four check casher licensees complete the applications submitted to the Bureau.

13. In October 2013, the Department spoke with Amauris Almonte and an employee.

14. Amauris Almonte and the employee admitted to signing signatures which were not their own on license applications filed with the Department.

15. Almonte Consulting charged the applicants \$300 for application completion services.

16. Amauris Almonte and the employee explained that Almonte Consulting provided the application completion service to clients who did not understand enough English to complete the forms themselves.

17. The Department's check casher license application includes documents which must be notarized.

18. The Bureau established that Almonte Consulting, Amauris Almonte and the employee had permission to sign at least some of their clients' signatures.

19. However, Amauris Almonte and the employee also notarized the signatures they signed for their clients.

20. By signing as another person and then notarizing that signature, Almonte Consulting, Amauris Almonte and the employee falsified a record submitted to the Department.

21. The CCLA provides that the Department "may revoke, suspend or decline to renew a license if it finds that the licensee has falsified a record required under this act or as prescribed by the department." *See* 63 P.S. § 2321(a)(5).

22. By falsifying a record submitted to the Department, Almonte Consulting and Amauris Almonte are in violation of the CCLA.

#### **AUTHORITY OF THE DEPARTMENT**

23. Section 104 of the CCLA states that the Department is authorized to issue orders that may be necessary for the administration and enforcement of the act. *See* 63 P.S. § 2304(1).

24. The CCLA provides any person violating the Act “shall be subject to a civil penalty levied by the department of up to \$2,000 for each violation.” *See* 63 P.S. § 2327.

### **RELIEF**

25. Fine. Almonte Consulting and Amauris Almonte agree to pay a fine of two thousand dollars (\$2,000) which shall be payable to the Department in one initial payment and four monthly payments. The initial payment shall be in the amount of one thousand dollars (\$1,000) and it shall accompany the signed consent agreement. The remaining four monthly payments shall be in the amount of two hundred and fifty dollars (\$250) each with the first due within thirty (30) days of the Effective Date of this Order, as defined in paragraph 32 below and subsequent payments due every thirty days thereafter until paid in full. The fine payments shall be remitted by certified check or money order made payable to the “Department Banking and Securities” and sent to the attention of: Department of Banking and Securities, Bureau of Compliance and Licensing, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101.

26. Corrective Measures. Almonte Consulting, Amauris Almonte and all employees of Almonte Consulting shall cease from signing another person’s signature and notarizing that signature on documents submitted to the Department.

### **FURTHER PROVISIONS**

27. Consent. Almonte Consulting and Amauris Almonte hereby knowingly, willingly, voluntarily and irrevocably consent to the entry of this Order pursuant to the Bureau’s order authority under the Check Cashier Licensing Act and agree that both parties understand all of the terms and conditions contained herein. Almonte Consulting and Amauris Almonte, by voluntarily entering into this Order, waive any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

28. Publication and Release. The Department will publish this Order pursuant to its authority in section 302.A(5) of the Department of Banking and Securities Code.

29. 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, Almonte Consulting and Amauris Almonte.

30. Binding Nature. The Department, Almonte Consulting and Amauris Almonte, and all officers, owners, directors, employees, heirs and assigns of Almonte Consulting and Amauris Almonte intend to be and are legally bound by the terms of this Order.

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

32. Effectiveness. Almonte Consulting and Amauris Almonte hereby stipulate and agree that the Order shall become effective on the date that the Bureau executes the Order (the "Effective Date").

33. 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 Almonte Consulting and Amauris Almonte in the future regarding all matters not resolved by this Order.

b. Almonte Consulting and Amauris Almonte acknowledge and agree 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.

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

35. Counterparts. This Order may be executed in separate counterparts, by facsimile, and by PDF.

36. 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 Department, Almonte Consulting and Tax Services, LLC and Amauris Almonte intending to be legally bound do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING AND SECURITIES  
BUREAU OF COMPLIANCE AND LICENSING**

Redacted \_\_\_\_\_

Ryan Walsh, Chief of Compliance  
Department of Banking and Securities  
Bureau of Compliance and Licensing

Date: September 22, 2014

**FOR ALMONTE CONSULTING  
AND TAX SERVICES, LLC**

Redacted \_\_\_\_\_

(Officer Signature)

Amauris Almonte  
(Print Officer Name)

Owner  
(Title)

Date: 8/21/14

**FOR AMAURIS ALMONTE**

Redacted \_\_\_\_\_

(Signature)

Amauris Almonte  
(Print Name)

Date: 8/21/14