

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURITIES, COMPLIANCE OFFICE

v.

PRATIXA CORPORATION dba
RT 115 FOOD MART

PA DEPARTMENT OF
BANKING AND SECURITIES

Docket No. 18 0011 (BNK-CAO)

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Compliance Office ("Office"), has reviewed the business practices of Pratixa Corporation dba RT 115 Food Mart ("Pratixa Corp."), and its officers, employees and directors. Based on the results of its review, the Office concludes that Pratixa Corp. operated in violation of the Check Cashier Licensing Act ("CCLA"), 63 P.S. § 2301 *et seq.* 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 CCLA.
2. The Office is primarily responsible for administering and enforcing the CCLA for the Department.
3. Pratixa Corp. operates at 2604 Route 115, Effort, PA 18330.

4. A previous company under same ownership, Check Cashers Unlimited, Corp., operated at Pratixa's present location of 2604 Route 115, Effort, PA 18330

5. Check Cashers Unlimited Corp. was licensed as a check casher, license #43835.

6. Check Cashers Unlimited Corp. surrendered check casher license #43835 effective September 22, 2015.

7. Pratixa is not and has never been licensed as a check casher under the CCLA.

Unlicensed Activity

8. Section 301(a) of the CCLA provides 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). An investigation by the Department revealed that Pratixa Corp. was cashing checks for a fee while not licensed to do so.

9. By cashing checks for a fee when it was not licensed to do so, Pratixa Corp., is in violation of Section 301(a) of the CCLA.

Authority

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

11. Section 507 of the CCLA provides that any person who violates the CCLA "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." 63 P.S. § 2327.

RELIEF

12. Fine. Pratixa Corp. agrees to pay a fine of two thousand dollars (\$2,000). Payment of the fine will be due within thirty (30) days of the Effective Date of the Order as defined in paragraph 21 below. The fine payment shall be remitted by certified check or money order made payable to the "Department of Banking and Securities" and sent to the attention of: Department of Banking and Securities, Compliance Office, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101-2290.

13. Corrective Action. Pratixa Corp. shall not engage in the business of cashing checks for a fee unless Pratixa Corp. is licensed under the CCLA.

14. Pratixa will remove or cover the sign reading "Check Cashers Unlimited".

FURTHER PROVISIONS

15. Consent. Pratixa Corp. hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Department's order authority under the CCLA and agrees that it understands all of the terms and conditions contained herein. Pratixa Corp., 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. The Department will publish this Order pursuant to its authority in Section 302.A.(5) of the Department of Banking and Securities Code. *See* 71 P.S. § 733-302.A.(5).

17. Consumer Rights. This Order shall not limit or impair a consumer's rights under the CCLA. *See* 63 P.S. § 2329.

18. 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 Office and Pratixa Corp.

19. Binding Nature. The Office, Pratixa Corp., and all officers, owners, directors, employees, heirs and assigns of Pratixa Corp. intend to be and are legally bound by the terms of this Order.

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

21. Effectiveness. Pratixa Corp. hereby stipulates and agrees that the Order shall become effective on the date that the Office executes the Order.

22. 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 Pratixa Corp. in the future regarding all matters not resolved by this Order.

b. Pratixa Corp. 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.

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

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

25. 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 of Banking and Securities and Pratixa Corporation dba RT 115 Food Mart intending to be legally bound do hereby execute this Consent Agreement and Order.

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

**FOR PRATIXA CORPORATION dba
RT 115 FOOD MART**

Redacted

Redacted

John Talalai, Administrator
Compliance Office
Department of Banking and Securities

(Officer Signature)

Date: 3-22-2018

Amrish Patel
(Print Officer Name)

President
(Title)

Date: March 20, 2018

