

FILED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

2019 MAY -6 AM 9:04

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

PA DEPARTMENT OF
BANKING AND SECURITIES

v. :

DOCKET NO. 19 0055 (BNK-ORD)

A-TOWN PAWN, INCORPORATED :

NOTICE TO ANSWER AND REQUEST A HEARING

You, A-Town Pawn, Incorporated, 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 with the Docket Clerk:

Linnea Freeberg, Docket Clerk
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101

Further, you must serve a copy of the Answer and any other documents on the person who signed the attached Order by providing a copy to their counsel set forth below:

Office of Chief Counsel
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101

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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A-TOWN PAWN, INCORPORATED :

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 Pawnbrokers License Act, 63 P.S. § 281-1 *et seq.* ("PLA").
2. The Compliance Office is primarily responsible for administering and enforcing the Pawnbrokers License Act for the Department.
3. A-Town Pawn, Incorporated ("A-Town") is currently licensed as a Pawnbroker, license no. 17404.
4. A-Town maintains its principal place of business at 929 Hamilton Street, Allentown, PA 18101.

BACKGROUND

5. The Pawnbrokers License Act at 63 P.S. § 281-1 *et seq.* imposes certain requirements on Pawnbroker licensees like A-Town.
6. The Pawnbrokers License Act states in pertinent part as follows: "Every pawnbroker licensed under this act shall annually, on or before the first day of March, file a report with the Secretary of Banking giving such relevant information as the Secretary of Banking may require concerning the business and operations during the previous calendar year of such licensed place of business conducted by the pawnbroker within this Commonwealth. Such report shall be made under oath and shall be in the form prescribed by the Secretary of Banking. For failure to file such report within the time specified, a

pawnbroker shall pay to the Secretary of Banking a penalty of ten (\$10.00) dollars for each calendar day which such report is overdue, but the Secretary of Banking may, in his discretion, relieve a pawnbroker of any portion or all of such fine.” 63 P.S. § 281-10

7. The Department determined that each Pawnbroker licensee was required to complete an Annual Report for the previous calendar year of 2018 through the Department’s Banking Online Application System by March 1, 2019.

8. A-Town provided : Redacted as an email address for use by the Department to receive notifications The Department provided the annual report notification to A-Town at that address on November 19, 2018

9. The Department sent annual report reminders by email to A-Town on January 3, 2019, January 18, 2019, February 1, 2019, February 15, 2019 and ending with the last reminder being sent on February 25, 2019

10. A-Town did not complete its Annual Report for the calendar year of 2018 by the deadline of March 1, 2019.

11. By email dated March 5, 2019, the Department notified A-Town that its Annual Report was past due and that it was incurring a \$10 per day fine until its Annual Report was filed.

12. A-Town filed the Annual Report by the end of the day on March 26, 2019.

13. A-Town filed the Annual Report 25 days after the due date of March 1, 2019.

VIOLATION

14 By not filing the Annual Report when it was due, A-Town violated the PLA at 63 P.S. § 281-10.

AUTHORITY

15. Section 202 D of the Department of Banking and Securities Code authorizes the Department to issue orders as necessary and appropriate to administer any statute within the Department’s jurisdiction. 71 P S. § 733-202 D.

16. The Department has the authority to issue orders to enforce the PLA 63 P.S. § 281-8.

17. Section 10 of the Pawnbrokers Act authorizes the Department to impose a fine of \$10 for each calendar day after the due date that the Annual Report is filed

AND NOW THEREFORE, because A-Town has failed to timely file the Annual Report for the calendar year of 2018, the Compliance Office, pursuant to its authority referenced above, hereby imposes the following Order

18. Pursuant to the Department's authority in 63 P.S. § 281-10 of the Pawnbrokers License Act, A-Town is hereby fined \$250 (two hundred and fifty dollars), which is payable within 30 days of the date of this order.


19. Payment shall be made by ACH or wire transfer, or if ACH or wire transfer is unavailable, by certified check or money order made payable to the "Department of Banking and Securities" and mailed or delivered in person, to the attention of: Department of Banking and Securities, Compliance Office, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101.

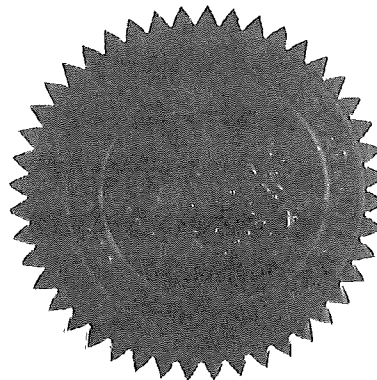
20. Failure to pay the fine within 30 days may result in additional enforcement action, including, but not limited to, the suspension, revocation or refusal to renew A-Town's license.

21. Nothing in this Order shall prevent the Compliance Office from taking any further administrative actions as deemed necessary.

IT IS SO ORDERED.

Redacted


James Keiser, Chief
Compliance Office
Department of Banking and Securities



May 6, 2019

(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 and 33.36:

BY CERTIFIED AND FIRST CLASS MAIL:

A-Town Pawn, Incorporated
929 Hamilton Street
Allentown, PA 18101

Dated: 5/6/19

Redacted

Eileen Smith, Legal Assistant
Commonwealth of Pennsylvania
Department of Banking and Securities
17 North Second Street, Suite 1300
Harrisburg, PA 17101
(717) 787-1471