

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

**IN THE MATTER OF: CASH ADVANCE AMERICA,
ITS OFFICERS, DIRECTORS, EMPLOYEES,
AFFILIATES, SUCCESSORS AGENTS,
AND ASSIGNS.**

FILE NO. C1400107

ORDER OF PROHIBITION

TO RESPONDENTS: CASH ADVANCE AMERICA
 200 W. Jackson Street, 14th Floor
 Chicago, Illinois 60606

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on September 29, 2015 temporarily prohibiting Respondent from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

WHEREAS, pursuant to Section 15-55 of the Illinois Loan Brokers Act of 1995 [815 ILCS 175] (the "Act"), the failure to request a hearing within thirty (30) calendar days of the entry of a Temporary Order shall constitute an admission of any facts alleged therein and constitute a sufficient basis to make the Temporary Order final.

WHEREAS, Respondent have failed to request a hearing on the matters contained in the said Temporary Order within thirty (30) calendar days of the entry of said Temporary Order and Respondent is hereby deemed to have admitted the facts alleged in the said Temporary Order.

WHEREAS, the Secretary of State, by and through his duty authorized representatives, has adopted the Findings of Fact contained in the said Temporary Order as the Secretary of State's Final Findings of Fact as follows:

1. That Respondent Cash Advance America, ("CAA") has a last known business address of 200 W. Jackson Street, 14th Floor, Chicago, Illinois 60606.
2. Respondent is not registered loan brokers in the State of Illinois.

Order of Prohibition

-2-

3. In 2014, Respondent CAA called Complainant A offering him a \$1,000 loan for an advance fee of \$110. Complainant A used a Mettabank prepaid card to load the \$110 and wired the money to Respondent CAA using Western Union.
4. Respondent CAA contacted Complainant B via phone received a call from American Cash Advance saying that he was approved for \$1,000 loan. Complainant B used a CVS green dot money pack to pay advance fees to Respondent CAA of \$80 and \$120.
5. Numerous complaints have been filed against Respondent CAA in the State of Washington and the State of Oregon.
6. To date, Complainants have not received a loan or the return their collateral security payment from the Respondent.
7. That the above-referenced Respondent is a loan broker as that term is defined pursuant to Section 15-5.15 of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (the "Act").
8. Section 15-10 of the Act provides, inter alia, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
9. That Section 15-85(b)(1) of the Act provides, inter alia, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
10. At all times relevant hereto, Respondent Cash Advance America, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer from the State of Illinois.
11. By virtue of the foregoing, Respondent Cash Advance America, its Officers, Directors, Employees, Affiliates, Successors, Agents, Assigns, have violated Section 15-10 and/or 15-85(b) of the Act.
12. Section 15-85(a) of the Act provides that it shall be a violation of the Act for a loan broker, in connection with a contract for the services of a loan broker, to either directly or indirectly:
 - (1) Employ any devices, scheme, or article to defraud;
 - (2) Make any untrue statements of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading; or

Order of Prohibition

-3-


- (3) Engage in any act, practice or course of business that operates or would operate as a fraud or deceit upon any person.
13. By virtue of the foregoing, Respondent Cash Advance America violated Section 15-85(a)(1), (2) and (3) of the Act.

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Conclusions of Law contained in the said Temporary Order as the Secretary of State's final Conclusions of Law as follows:

1. That by virtue of the foregoing, the Respondent Cash Advance America violated Sections 15-85(a)(1), (2) and (3) of the Act; and
2. That by virtue of the foregoing, the Respondent Cash Advance America are subject, pursuant to Section 15-55(c) and Section 15-55(d) of the Act, to an Order which permanently prohibits it from engaging in the business of loan brokering in the State of Illinois.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55(c) and Section 15-55(d) of the Act, Cash Advance America, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns individually are hereby PROHIBITED from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

ENTERED: This 31st day of December, 2015.


JESSE WHITE
Secretary of State
State of Illinois

Date of Mailing: 4th day of January 20 16

NOTICE: Failure to comply with the terms of this Order shall be a violation of Section 15-85(b)(2) of the Illinois Loan Brokers Act of 1995, as amended, 815 ILCS 175-15-1 et seq.

Order of Prohibition

-4-

(the "Act"). Any person or entity who fails to comply with the terms of this Order of the Secretary of State, having knowledge of the existence of this Order, shall be guilty of a Class 4 felony.

This is a Final Order subject to judicial review pursuant to the Administrative Review Law, 735 ILCS 5/3-101 et seq. and the Rules and Regulations of the Act (14 Ill. Admin. Code, Ch. I, Sec. 130.1123. Any action for judicial review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review. Mailing of this Order to the Respondent or representative of record constitutes service of the Order.

Attorney for the Secretary of State:

Felicia H. Simmons-Stovall
Enforcement Attorney
Office of the Secretary of State
Illinois Securities Department
69 West Washington Street, Suite 1220
Chicago, Illinois 60602
Telephone: (312) 793-3384