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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Check Cashers and Sellers Act of Washington by:

MASTER UNLIMITED INC., d/b/a
UNITED POSTAL EXPRESS, and
LOREN RAY ALLERDINGS,
President and Owner,

Respondents.

NO. C-09-413-10-CO01

CONSENT ORDER

RECEIVED
MAY 17 2010
ENFORCEMENT UNIT
DIVISION OF CONSUMER SERVICES
DEPT OF FINANCIAL INSTITUTIONS

9 COMES NOW the Director of the Department of Financial Institutions (Director), through his designee
10 Deborah Bortner, Division Director, Division of Consumer Services, and Master Unlimited Inc., d/b/a United
11 Postal Express (hereinafter Respondent Master Unlimited), and Loren Ray Allerdings, President and Owner
12 (hereinafter Respondent Allerdings), and finding that the issues raised in the above-captioned matter may be
13 economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered
14 pursuant to chapter 31.45 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative
15 Procedure Act, based on the following:

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AGREEMENT AND ORDER

18 The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents
19 have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-413-09-SC01
20 (Statement of Charges), entered November 30, 2009, (copy attached hereto). Pursuant to chapter 31.45 RCW, the
21 Check Cashers and Sellers Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondents
22 hereby agree to the Department's entry of this Consent Order and further agree that the issues raised in the above-
23 captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend
24 this Consent Order to fully resolve the Statement of Charges.

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Based upon the foregoing:

CONSENT ORDER
C-09-413-10-CO01
Master Unlimited Inc., d/b/a United Postal Express,
and Loren Ray Allerdings

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
2 activities discussed herein.

3 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a hearing
4 before an administrative law judge, and hereby waive their right to a hearing and any and all administrative and
5 judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly, Respondents,
6 by their signatures below, withdraw their appeal to the Office of Administrative Hearings.

7 C. **Check Casher License Revocation.** It is AGREED that Respondent Master Unlimited's license to
8 conduct the business of a check casher is revoked, effective upon entry of this Consent Order. It is further
9 AGREED that Respondents have provided the Department with Respondent Master Unlimited's original check
10 casher license and a fully completed "Check Casher/Check Seller Office Closure Form."

11 D. **Application for License.** It is AGREED that Respondents shall not apply to the Department for any
12 license under any name for a period of five years from the date of entry of this Consent Order. It is further
13 AGREED that nothing in this Consent Order shall be construed as relieving Respondents from their obligation to
14 comply with the licensing requirements of any laws administered by the Department, including but not limited to
15 the Mortgage Broker Practices Act (RCW 19.146), the Consumer Loan Act (RCW 31.04), the Escrow Agent
16 Registration Act (RCW 18.44), the Uniform Money Services Act (RCW 19.230), and the Check Cashers and
17 Sellers Act (RCW 31.45), and the rules adopted thereunder. It is further AGREED that, should any or all
18 Respondents apply to the Department for any license under any name at any time later than five years from the
19 date of entry of this Consent Order, such applying Respondents shall be required to meet any and all application
20 requirements in effect at that time.

21 E. **Examination Fee.** It is AGREED that Respondents shall pay to the Department an examination fee
22 of \$1,207.50, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of
23 this Consent Order.

1 **F. Records Retention.** It is AGREED that Respondents shall maintain all books, accounts, and records
2 related to business conducted under Respondent Master Unlimited's check casher license for at least two years
3 from the completion of each transaction, in compliance with the Act.

4 **G. Authority to Execute Order.** It is AGREED that the undersigned Respondents have represented and
5 warranted that they have the full power and right to execute this Consent Order on behalf of the parties
6 represented.

7 **H. Non-Compliance with Order.** It is AGREED that Respondents understand that failure to abide
8 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the
9 event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in
10 pursuing such action, including but not limited to, attorney fees.

11 **I. Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into
12 this Consent Order, which is effective when signed by the Director's designee.

13 **J. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read this
14 Consent Order in its entirety and fully understand and agree to all of the same.

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1 **RESPONDENTS:**

2 **Master Unlimited Inc., d/b/a United Postal Express**

3 By:

4 *Loren Allerding*
Loren Ray Allerdings
5 President and Owner

5/11/2010
Date

6 *Loren Allerding*
7 Loren Ray Allerdings
8 Individually

5/11/2010
Date

9 **DO NOT WRITE BELOW THIS LINE**

10 THIS ORDER ENTERED THIS 13th DAY OF May, 2010.



11 *Deborah Bortner*
12 DEBORAH BORTNER
13 Director
14 Division of Consumer Services
15 Department of Financial Institutions

16 Presented by:

17 *M. T. Olson*

18 MARK T. OLSON
19 Financial Legal Examiner

20 Approved by:

21 *James R. Brusselback*
22 JAMES R. BRUSSELBACK
23 Enforcement Chief

24
25 CONSENT ORDER
C-09-413-10-CO01
Master Unlimited Inc., d/b/a United Postal Express,
and Loren Ray Allerdings

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF DETERMINING
5 Whether there has been a violation of the
6 Check Cashers and Sellers Act of Washington by:

NO. C-09-413-09-SC01

7 MASTER UNLIMITED INC., d/b/a
8 UNITED POSTAL EXPRESS, and
9 LOREN RAY ALLERDINGS,
10 President and Owner,

Respondents.

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER AN
ORDER TO REVOKE OR SUSPEND LICENSE,
BAN FROM INDUSTRY, AND COLLECT
EXAMINATION AND INVESTIGATION FEES

11 INTRODUCTION

12 Pursuant to RCW 31.45.110 and RCW 31.45.200, the Director of the Department of Financial Institutions
13 of the State of Washington (Director) is responsible for the administration of chapter 31.45 RCW, the Check
14 Cashers and Sellers Act (Act). After having conducted an investigation pursuant to RCW 31.45.100, and based
15 upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of
16 Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

17 I. FACTUAL ALLEGATIONS

18 1.1 Respondents.

19 A. Master Unlimited Inc. d/b/a United Postal Express (Master Unlimited) was licensed by the
20 Department of Financial Institutions of the State of Washington (Department) to conduct business as a check
21 cashier on June 21, 2005, and continues to be licensed to date¹.

22 B. Loren Ray Allerdings (Allerdings) is the President and Owner of Respondent Master
23 Unlimited.

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25 ¹ Master Unlimited also obtained a small loan endorsement (payday lending) to its check cashier license in June 2005 and surrendered this endorsement in June 2007.

1 **1.2 Failure to Pay Examination Fee.** In or around June 2009, the Department conducted an examination
2 of the books and records of Respondent Master Unlimited's check cashing business. On July 7, 2009, the
3 Department sent Respondents an invoice in the amount of \$1,207.50 for the cost of the examination, with a due
4 date of August 6, 2009.

5 • On August 11, 2009, after Respondents did not respond to the first invoice, the Department sent a letter
6 to Respondents notifying them that failure to pay the invoice by September 11, 2009, would subject
7 them to administrative action that could include the imposition of fines and the revocation of
8 Respondent Master Unlimited's license.

9 • In a letter to the Department dated September 16, 2009, Respondent Allerdings stated:

10 "I have received your letter concerning payment on an audit. Invoice number #00006782
11 for the amount of \$1207.50. I'm a small business struggle in these economics times and I
12 don't have any money to pay you. If you want my license just come down to my store and
13 pick it up. I know the state is in financial disaster but all of our leaders have put us there.
The decision you and the state government makes hurts all small business. If this is your
goal to put us out of business you are succeeding. I don't have the money and am not pay
anytime in the future. I did not ask for the audit nor needed it."²

14 • On September 29, 2009, the Department sent Respondents another letter directing them to pay the
15 invoice by October 16, 2009, and notifying them that failure to pay the invoice was a violation of the
16 Act and could subject Respondents to formal enforcement action, including revocation of Respondent
17 Master Unlimited's license and the imposition of fines and investigation costs.

18 • In a letter to the Department dated October 13, 2009, Respondent Allerdings stated:

19 "I have received your two FedEx overnights. I am writing to tell you that I don't have the
20 money to pay for that examination. I am sure that with this economy you can understand
but I also understand you have a job to do."³

21 • On November 10, 2009, the Department contacted Respondent Allerdings via telephone and discussed
22 the alternatives of paying the invoice or having the Department take a formal enforcement action for
23 failure to comply with the Act. Respondent Allerdings again stated he did not have the money to pay
24 the invoice.

25 ² This is a verbatim quote, without identification or correction of any errors in grammar, spelling, or punctuation.

³ This is a verbatim quote, without identification or correction of any errors in grammar, spelling, or punctuation.

1 Respondents have not paid the amount due for the examination, which as of November 25, 2009 totals
2 \$1,251.56 including interest accruing at an Annual Percentage Rate of 12%.

3 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the Act by
4 Respondents continues to date.

5 **II. GROUNDS FOR ENTRY OF ORDER**

6 **2.1 Requirement to Pay Examination Fee.** Based on the Factual Allegations set forth in Section I above,
7 Respondents are in apparent violation of RCW 31.45.050(1) and WAC 208-630-350 for failing to pay the
8 director the cost of an examination conducted by the Department.

9 **III. AUTHORITY TO IMPOSE SANCTIONS**

10 **3.1 Authority to Revoke or Suspend License.** Pursuant to RCW 31.45.110(2)(a), the Director may
11 revoke or suspend a license if a licensee is violating or has violated the Act including rules, or fails to pay a fee
12 required by the Director.

13 **3.2 Authority to Remove and Ban from the Industry.** Pursuant to RCW 31.45.110(2)(e), the Director
14 may remove from office or ban from participation in the conduct of the affairs of any licensee any director,
15 officer, sole proprietor, partner, controlling person, or employee of a licensee that is violating or has violated the
16 Act including rules, or fails to pay a fee required by the Director.

17 **3.3 Authority to Collect Examination and Investigation Fees.** Pursuant to RCW 31.45.100 and WAC 208-
18 630-350 and 380, the Director shall collect from the licensee the actual cost of an examination or investigation at
19 the hourly rate of sixty-nine dollars per person per hour expended, plus actual expenses.

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IV. NOTICE OF INTENTION TO ENTER ORDER

Respondents' violations of the provisions of chapter 31.45 RCW and chapter 208-630 WAC, as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis for the entry of an Order under RCW 31.45.110 and RCW 31.45.200. Therefore, it is the Director's intention to ORDER that:

- 4.1 Respondent Master Unlimited Inc. d/b/a United Postal Express's license to conduct the business of a check casher be revoked or suspended.
- 4.2 Respondent Master Unlimited Inc. d/b/a United Postal Express be banned from participation in the conduct of the affairs of any check casher or check casher with a small loan endorsement or check seller subject to licensure by the Director, in any manner, for a period of 2 years.
- 4.3 Respondent Loren Ray Allerdings be banned from participation in the conduct of the affairs of any check casher or check casher with a small loan endorsement or check seller subject to licensure by the Director, in any manner, for a period of 2 years.
- 4.4 Respondents Master Unlimited Inc. d/b/a United Postal Express and Loren Ray Allerdings jointly and severally pay examination and investigation fees. As of the date of this Statement of Charges, these fees total \$2,079.56 (including the \$1,207.50 examination fee previously invoiced plus \$44.06 in accrued interest on that invoice through November 25, 2009).

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1 **IV. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intention to Enter an Order to Revoke or Suspend License,
3 Ban from Industry, and Collect Examination and Investigation Fees (Statement of Charges) is entered pursuant
4 to the provisions of RCW 31.45.110 and RCW 31.45.200, and is subject to the provisions of chapter 34.05
5 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as set forth
6 in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying
7 this Statement of Charges.

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9 Dated this 30th day of November, 2009.

10 
11 DEBORAH BORTNER
12 Director
13 Division of Consumer Services
14 Department of Financial Institutions

15 Presented by:

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17 MARK T. OLSON
18 Financial Examiner

19 Approved by:

20 
21 JAMES R. BRUSSELBACK
22 Enforcement Chief

