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Las Vegas, Nevada 89121
(702) 486-4120

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION**

1179 Fairview Drive, Ste. 201
Carson City, Nevada 89701
(775) 689-5522

In Re:

PROCESSING SERVICE CENTER,
LLC,

Respondent.

**ORDER TO CEASE AND DESIST
ACTIVITIES AND NOTICE OF
APPEAL RIGHTS**

**ORDER TO CEASE AND DESIST ACTIVITIES AND
NOTICE OF APPEAL RIGHTS**

Nevada, Department of Business and Industry, Financial Institutions Division (hereinafter "Division") hereby orders PROCESSING SERVICE CENTER, LLC, (hereafter "RESPONDENT") to cease and desist from any and all activities which covered under Nevada Revised Statutes (NRS) Chapter 671.

JURISDICTION

1. The business of money transmission in the State of Nevada is governed by chapter 671 of the Nevada Revised Statutes (NRS) and chapter 671 of the Nevada Administrative Code (NAC). The Division has primary jurisdiction for the licensing and regulation of persons operating and/or engaging in money transmission services. See generally NRS 671.050.

2. Pursuant to the authority vested by NRS chapter 671, the Division hereby makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent PROCESSING SERVICE CENTER, LLC, is a Nevada Limited Liability Company and is registered as a Limited Liability Company under the laws of the

1 State of Nevada and may be served through its resident agent Paula Engelbrecht, 1291
2 Galleria Drive, Ste. 125, Henderson, NV 89014.

3 2. Respondent is engaged in the business of money transmittal at a place of
4 business located at 1291 Galleria Dr., Suite 125, Henderson, NV 89014.

5 3. Respondent is not a licensed money transmitter in the State of Nevada.

6 4. Respondent is not a licensed agent for a money transmitter in the State of
7 Nevada.

8 5. During the examination of licensee North American Asset Services, LLC, the
9 Division discovered that it had a contract with Respondent to receive and transmit money.

10 6. In the contract, North American Asset will refer consumers to Respondent "to
11 process ACH and credit card transactions offered by consumers as payment on delinquent
12 accounts."

13 7. Specifically, Respondent will "accept payments, in compliance with all applicable
14 laws and regulations, all Referred Accounts and use its best efforts to obtain all amounts
15 due."

16 8. As part of the contract, Respondent is required to comply with "all applicable
17 federal, state and local laws, rules and regulations."

18 9. Pursuant to this contract, Respondent received money from consumers and
19 transmitted payment to North American Asset Services.

20 10. Respondent received \$9.95 for every transaction processed for North American
21 Asset Services.

22 11. Any finding of fact which is more properly characterized as a conclusion of law
23 shall be construed as such.

24 CONCLUSIONS OF LAW

25 1. NRS 671.040 reads as follows:

26 NRS 671.040 License required. 1. A person shall not engage in
27 the business of selling or issuing checks or of receiving for
28 transmission or transmitting money or credits unless the person is
licensed pursuant to this chapter. 2. A person shall not engage in

1 such business as an agent except as an agent of a licensee or a
2 payee.

3 2. NAC 671.070(1) states that a person may not engage in "the business of selling
4 or issuing checks or of receiving for the transmission or transmitting money or credits" without
5 first obtaining a "license, certificate and permit."

6 3. NRS 671.090 states that a person can only act as an agent to a licensee and
7 that a license would be required for the agent if the agent "sells or delivers the licensee's
8 checks over the counter to the public...."

9 4. NAC 671.085 reads as follows:

10 NAC 671.085 Administrative fines and orders to cease and desist.
11 (NRS 671.030, 671.185)

12 1. If a person engages in an activity in violation of the
13 provisions of this chapter or chapter 671 of NRS, the
14 Commissioner may issue an order to the person imposing an
15 administrative fine pursuant to NRS 671.185 and directing the
16 person to cease and desist from engaging in the activity.

17 2. An order issued pursuant to subsection 1 must:

18 (a) Be in writing.

19 (b) Be served by certified mail on the person to whom the order
20 is directed. For the purposes of this paragraph, proof of attempted
21 service by certified mail to the last known address of the person is
22 sufficient to establish that service was complete.

23 (c) State that the person has 30 days after the date of the order
24 to request an administrative hearing and that the order shall be
25 deemed final if the Division does not receive a verified petition for
26 a hearing within the prescribed time.

27 (d) State that, in the opinion of the Commissioner, the person
28 has engaged in an activity:

(1) For which the person has not received a license as
required by chapter 671 of NRS; or

(2) In a manner that violates the provisions of this chapter or
chapter 671 of NRS.

3. A person who is served with an order to cease and desist
pursuant to this section shall not engage in any activity prohibited
by the order after the person is served with the order unless the
order is suspended or rescinded.

4. If a verified petition for a hearing is received by the Division
within the prescribed time, the Commissioner or the designee of
the Commissioner shall hold a contested hearing.

5. An order to cease and desist may be amended or rescinded
at any time before or during the contested hearing. Subject to the
discretion of the Commissioner or the designee of the

1 Commissioner, the hearing may be continued if an amendment to
2 the order materially alters the facts or legal issues relating to the
3 order or the respondent demonstrates an inability to prepare for
4 the hearing as a result of the amendment.

5 6. The decision of the Commissioner or the designee of the
6 Commissioner is final for the purposes of judicial review.

7 5. NRS 671.185 (1) states that "the Commissioner may impose an administrative
8 fine of not more than \$10,000 upon a person who ... without a license conducts any business
9 or activity for which a license is required pursuant to the provisions of this chapter."

10 6. Similarly, a violation of any provision of NRS chapter 671 or any regulation
11 adopted pursuant thereto is subject to a fine of not more than \$10,000.00.

12 7. Respondent violated NRS 671.040, by engaging in the business of "receiving
13 money for transmission or transmitting money or credit" without a valid license.

14 8. Based on the foregoing violations, the Commissioner is authorized to enjoin
15 activity which is in violation of NRS chapter 671.

16 9. Any conclusion of law which is more properly characterized as a finding of fact
17 shall be construed as such.

18 ORDER

19 IT IS HEREBY ORDERED that Respondent PROCESSING SERVICE CENTER, LLC,
20 shall **CEASE AND DESIST** from operating and/or engaging in the business of "selling or
21 issuing checks or of receiving for transmission or transmitting money or credits" within the
22 State of Nevada unless and until such time as RESPONDENT has become licensed by the
23 Division pursuant to NRS chapter 671.

24 IT IS FURTHER ORDERED that Respondent shall **CEASE AND DESIST** from any and
25 all participation as an agent for any other money transfer company engaged in the business
26 of "selling or issuing checks or of receiving for transmission or transmitting money or credits"
27 within the State of Nevada unless and until such time as RESPONDENT has become
28 licensed by the Division pursuant to NRS chapter 671.

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APPEAL RIGHTS

RESPONDENT HAS THE RIGHT TO REQUEST A HEARING IN THIS MATTER. If you wish to request a hearing you must file a request **within thirty (30) days** after this Order to Cease and Desist was served on the Respondent.

Your request for a hearing must be delivered to:

FINANCIAL INSTITUTIONS DIVISION
STATE OF NEVADA, DEPARTMENT OF BUSINESS
AND INDUSTRY
2785 E. Desert Inn Road, Suite 180
Las Vegas, Nevada 89121

Other important rights you have are listed in Nevada Revised Statutes Chapters 671 and 233B and the Nevada Administrative Code Chapter 671.

DATED this 15 day of March, 2013.

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
FINANCIAL INSTITUTIONS DIVISION

By: _____

Carla Kolebuck
CARLA KOLEBUCK,
Deputy Commissioner

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Financial Institutions Division, and that on 18th day of March, 2013, I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing **ORDER TO CEASE AND DESIST UNLICENSED ACTIVITIES; NOTICE OF APPEAL RIGHTS**, addressed as follows:

Paula Engelbrecht, Resident Agent
1291 Galleria Drive, Ste. 125
Henderson, NV 89014

DATED this 18th day of March, 2013

By: C. Chaney

Certified Mail: 7012 1640 0000 6162 5573

0000 6162 5573

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (if needed)		

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paula Engelbrecht
1291 Galleria Drive, Ste 125
Henderson, NV 89014

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Michelle Palmer

B. Received by (Printed Name) C. Date of Delivery
Michelle Palmer *3/19*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

Paula Engelbrecht
1291 Galleria Drive, Ste 125
Henderson, NV 89014

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 1640 0000 6162 5573