



2785 E. Desert Inn Road, Suite 180  
Las Vegas, Nevada 89121  
(702) 486-4120

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

1755 East Plumb Lane, Suite 243  
Reno, Nevada 89502  
(775) 686-1730

IN THE MATTER OF:

On Call Cash, LLC

**ADMINISTRATIVE COMPLAINT FOR  
DISCIPLINARY ACTION AND APPEAL  
RIGHTS**

**ADMINISTRATIVE COMPLAINT FOR DISCIPLINARY ACTION**

GEORGE E. BURNS, Commissioner of the NEVADA FINANCIAL INSTITUTIONS DIVISION of the DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (hereinafter "Division"), complaint for disciplinary action against ON CALL CASH, LLC, (hereinafter "Licensee") as follows:

**JURISDICTION**

1. Pursuant to Nevada Revised Statutes (NRS) Chapter 604A, the Division has the statutory and regulatory authority over the business practices, licensing, examinations, and disciplinary action related to deferred deposit lending, high-interest lending, title lending, and check cashing services in Nevada.

2. The Licensee is now, and was at all pertinent times alleged herein, licensed in Nevada by the Division to provide deferred deposit loan, high interest loan, and check cashing services pursuant to NRS Chapter 604A.

3. As the holder of a Chapter 604A license, the Licensee, is subject to the provisions of NRS Chapter 604A and Nevada Administrative Code (NAC) Chapter 604A.





1 (d) More than one check or written authorization for an electronic transfer of  
2 money for each deferred deposit loan.

3 (e) A check or written authorization for an electronic transfer of money for  
4 any deferred deposit loan in an amount which exceeds the total of payments set  
5 forth in the disclosure statement required by the Truth in Lending Act and  
6 Regulation Z that is provided to the customer.

7 2. Take any note or promise to pay, which does not disclose the date and  
8 amount of the loan, amount financed, annual percentage rate, finance charge,  
9 total of payments, payment schedule and a description and the amount of every  
10 fee charged, regardless of the name given to the fee and regardless of whether  
11 the fee is required to be included in the finance charge under the Truth in  
12 Lending Act and Regulation Z.

13 3. Take any instrument, including a check or written authorization for an  
14 electronic transfer of money, in which blanks are left to be filled in after the loan  
15 is made.

16 4. Make any transaction contingent on the purchase of insurance or any  
17 other goods or services or sell any insurance to the customer with the loan.

18 5. Fail to comply with a payment plan which is negotiated and agreed to by  
19 the licensee and customer.

20 6. Charge any fee to cash a check representing the proceeds of a loan  
21 made by the licensee or any agent, affiliate or subsidiary of the licensee.

22  
23  
24  
25  
26  
27  
28  
14. NRS 604A.810 provides the Division has the authority to impose a Cease and  
Desist order:

**NRS 604A Order to desist and refrain; action to enjoin violation;  
appointment of receiver.**

1. Whenever the Commissioner has reasonable cause to believe that any  
person is violating or is threatening to or intends to violate any provision of this  
Chapter, he may, in addition to all actions provided for in this Chapter and  
without prejudice thereto, enter an order requiring the person to desist or to  
refrain from such violation.

2. The Attorney General or the Commissioner may bring an  
action to enjoin a person from engaging in or continuing a violation  
or from doing any act or acts in furtherance thereof. In any such action, an  
order or judgment may be entered awarding a preliminary or final injunction as  
may be deemed proper.

3. In addition to all other means provided by law for the enforcement of a  
restraining order or injunction, the court in which an action is brought may  
impound, and appoint a receiver for, the property and business of the  
defendant, including books, papers, documents and records pertaining thereto,  
or so much thereof as the court may deem reasonably necessary to prevent  
violations of this Chapter through or by means of the use of property and  
business. A receiver, when appointed and qualified, has such powers and  
duties as to custody, collection, administration, winding up and liquidation of

1 such property and business as may from time to time be conferred upon him by  
2 the court.

- 3 **15.** The Division has the authority to impose an administrative fine against any  
4 person engaged in NRS 604A activity as part of a disciplinary action:

5 **NRS 604A.820 Procedure for taking disciplinary action; authorized  
6 disciplinary action; grounds.**

7 1. If the Commissioner has reason to believe that grounds for revocation or  
8 suspension of a license exist, the Commissioner shall give 20 days' written  
9 notice to the licensee stating the contemplated action and, in general, the  
10 grounds therefor and set a date for a hearing.

11 2. At the conclusion of a hearing, the Commissioner shall:

12 (a) Enter a written order either dismissing the charges, revoking the license or  
13 suspending the license for a period of not more than 60 days, which period must  
14 include any prior temporary suspension. The Commissioner shall send a copy of  
15 the order to the licensee by registered or certified mail.

16 (b) Impose upon the licensee an administrative fine of not more than \$10,000  
17 for each violation by the licensee of any provision of this chapter or any  
18 regulation adopted pursuant thereto.

19 (c) If a fine is imposed pursuant to this section, enter such order as is  
20 necessary to recover the costs of the proceeding, including investigative costs  
21 and attorney's fees of the Commissioner.

22 3. The grounds for revocation or suspension of a license are that:

23 (a) The licensee has failed to pay the annual license fee;

24 (b) The licensee, either knowingly or without any exercise of due care to  
25 prevent it, has violated any provision of this chapter or any lawful regulation  
26 adopted pursuant thereto;

27 (c) The licensee has failed to pay a tax as required pursuant to the provisions  
28 of chapter 363A of NRS;

(d) Any fact or condition exists which would have justified the Commissioner  
in denying the licensee's original application for a license pursuant to the  
provisions of this chapter; or

(e) The licensee:

(1) Failed to open an office for the conduct of the business authorized by his  
or her license within 180 days after the date the license was issued; or

(2) Has failed to remain open for the conduct of the business for a period of  
180 days without good cause therefor.

4. Any revocation or suspension applies only to the license granted to a  
person for the particular office for which grounds for revocation or suspension  
exist.

5. An order suspending or revoking a license becomes effective 5 days  
after being entered unless the order specifies otherwise or a stay is granted.

1           16.    NRS 604A states the following remedies for certain willful violations:

2                   **NRS 604A.900 Remedies for certain willful violations.**

3                   1. Except as otherwise provided in this section, if a licensee  
4                   willfully:

5                   (a) Enters into a loan agreement for an amount of interest or any  
6                   other charge or fee that violates the provisions of this Chapter or  
7                   any regulation adopted pursuant thereto;

8                   (b) Demands, collects or receives an amount of interest or any  
9                   other charge or fee that violates the provisions of this Chapter or  
10                   any regulation adopted pursuant thereto; or

11                   (c) Commits any other act or omission that violates the  
12                   provisions of this Chapter or any regulation adopted pursuant  
13                   thereto,

14                   (d) the loan is void and the licensee is not entitled to collect,  
15                   receive or retain any principal, interest or other charges or fees  
16                   with respect to the loan.

17                   2. The provisions of this section do not apply if:

18                   (a) A licensee shows by a preponderance of the evidence that  
19                   the violation was not intentional and resulted from a bona fide  
20                   error of computation, notwithstanding the maintenance of  
21                   procedures reasonably adapted to avoid that error; and

22                   (b) Within 60 days after discovering the error, the licensee  
23                   notifies the customer of the error and makes whatever  
24                   adjustments in the account are necessary to correct the error.  
25  
26  
27  
28

**RELIEF SOUGHT**

1  
2  
3  
4  
17. Based upon the allegations contained herein which constitute sufficient cause for disciplinary action against the licensee pursuant to the provisions of NRS Chapter 604A and NAC Chapter 604A, the Commissioner prays for relief as follows:

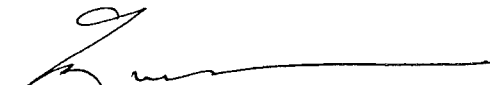
- 5 A. That the Licensee be fined a monetary sum pursuant to the parameters defined at NRS 604A.820(2);
- 6 B. That action be taken against the Licensee's license pursuant to the parameters defined at NRS604A.820(2);
- 7 C. That the Licensee pay the costs of the proceeding, including investigative costs, attorney's fees pursuant to the parameters defined at NRS 604A.820(2);
- 8 D. That the Licensee be ordered to desist and refrain from violating NRS
- 9 604A.125;
- 10 E. That the Licensee's willful violations result in a finding that the loans are
- 11 VOID pursuant to NRS 604A.900; and
- 12 F. For such other and further relief as the Administrative Law Judge may
- 13 deem just and proper.
- 14

15  
16  
**RESPONSE**

17 THEREFORE, the Licensee is directed to answer in writing the Administrative  
18 Complaint for Disciplinary Action within ten (10) calendar days from service and to serve the  
19 same upon the undersigned Commissioner of the NEVADA FINANCIAL INSTITUTIONS  
20 DIVISION.

21 DATED this 20th day of May, 2016.

22  
23 STATE OF NEVADA  
24 DEPARTMENT OF BUSINESS AND INDUSTRY  
25 FINANCIAL INSTITUTIONS DIVISION

26 By:   
27 GEORGE E. BURNS  
28 Commissioner

**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 Administrative Complaint was served on the Respondent. Your request for a hearing must be delivered to:

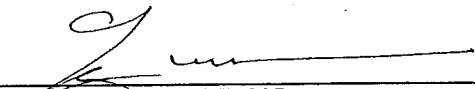
STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION  
2785 E Desert Inn Road  
Suite 180  
LAS VEGAS, NEVADA 89121

Other important rights you have are listed in Nevada Revised Statutes Chapters 604A and 233B and the Nevada Administrative Code Chapter 604A.

DATED this 20th day of May, 2016.

STATE OF NEVADA  
DEPARTMENT OF BUSINESS  
AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION

By:

  
\_\_\_\_\_  
GEORGE E. BURNS  
Commissioner



CERTIFICATE OF SERVICE

1  
2 I certify that I am an employee of the State of Nevada, Office of the Attorney General,  
3 and that on 20<sup>th</sup> day of May, 2016, I deposited in the U.S. mail, postage prepaid, via First  
4 Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing  
5 **ADMINISTRATIVE COMPLAINT FOR DISCIPLINARY ACTION AND NOTICE OF HEARING,**  
6 addressed as follows:

7 ON CALL CASH, LLC  
8 Attn: Michael Sorrillo, Resident Agent  
9 467 E Silverado Ranch Blvd. Suite 110  
Las Vegas, NV 89183

10 Certified Mail: 7012 1010 0000 1168 5393

11  
12 DATED this 20<sup>th</sup> day of May, 2016

13  
14 By:  \_\_\_\_\_  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28