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BEFORE THE ARKANSAS SECURITIES COMMISSIONER

CASE NO. C-10-0085

ORDER NO. C-10-0085-10-OR01

ARKANSAS SECURITIES DEPT.

**IN THE MATTER OF:
BUDGET PREPAY, INC.**

RESPONDENT

CONSENT ORDER

This Consent Order is entered pursuant to the Arkansas Money Services Act (“Act”), codified at Ark. Code Ann. §§ 23-55-101 through 23-55-1005, the Arkansas Money Services Rules (“Rules”) and the Arkansas Administrative Procedures Act, codified at Ark. Code Ann. §§ 25-15-101 through 25-15-219, in accordance with an agreement by and between the Staff of the Arkansas Securities Department (“Staff”) and the Respondent, Budget PrePay, Inc. (“Budget”), in full and final settlement of all claims that could be brought against Budget by the Staff on the basis of the facts set forth herein.

By signing below Budget admits the jurisdiction of the Act and the Arkansas Securities Commissioner (“Commissioner”), waives its right to a formal hearing and appeal, admits the findings of facts made herein, consents to the entry of this Order, and agrees to abide by its terms.

FINDINGS OF FACT

1. Budget is organized under the laws of Louisiana, with its principal office located at 1325 Barksdale Boulevard, Suite 200, Bossier City, Louisiana 71111. Budget is a foreign corporation authorized to do business in the State of Arkansas.
2. Budget holds itself out to the public as offering and providing bill payment services throughout the United States.
3. At all times relevant to this matter, Budget has had multiple authorized delegates, as defined by Ark. Code Ann. § 23-55-102(2), in Arkansas.

4. Budget engaged in the business of money transmission in Arkansas without a license from January 1, 2008 to January 30, 2009, under the mistaken belief that it was exempt from licensure.

5. Budget is currently licensed as a money transmitter in Arkansas.

6. From January 1, 2008 through January 30, 2009, Budget transmitted approximately \$7,000,000.00 in approximately 57,500 transactions in Arkansas. During such time period, Budget earned approximately \$53,000.00 in commissions on those transactions.

7. Budget self reported its conduct to the Arkansas Securities Department. In addition, Budget fully cooperated with the Staff during the Staff's investigation of this matter.

CONCLUSIONS OF LAW

8. Pursuant to Ark. Code Ann. § 23-55-101 et seq. the Commissioner has jurisdiction over Budget and the subject matter of this proceeding.

9. Ark. Code Ann. § 23-55-804 permits the informal disposition of an allegation by consent order.

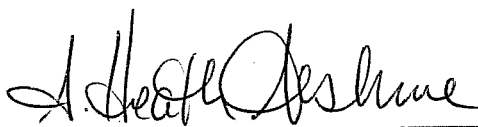
10. Ark. Code Ann. § 23-55-201 states that a person may not engage in the business of money transmission or advertise, solicit, or hold itself out as providing money transmission unless the person is licensed under this subchapter or approved to engage in money services under § 23-55-203. As detailed in paragraphs two through six, the failure by Budget to obtain a license in Arkansas prior to engaging in the business of money transmission or advertising, soliciting, or holding itself out as providing money transmission in Arkansas constituted violations of Ark. Code Ann. § 23-55-201.

11. Pursuant to Ark. Code Ann. § 23-55-805 the Commissioner has the authority to assess a civil penalty against a person that violates the Act in an amount not to exceed \$1,000 per day for each day the violation is outstanding. The violations by Budget support an assessment by the Commissioner of a civil penalty against Budget pursuant to Ark. Code Ann. § 23-55-805.

ORDER

By agreement and with the consent of the Staff and the authorized representative of Budget it is hereby ordered that Budget shall be responsible for the payment of a civil penalty in the amount of \$15,000.00 to the Arkansas Securities Department. The payment of said civil penalty by Budget shall be made to the Arkansas Securities Department within ten (10) days of the entry of this Consent Order.

IT IS SO ORDERED.

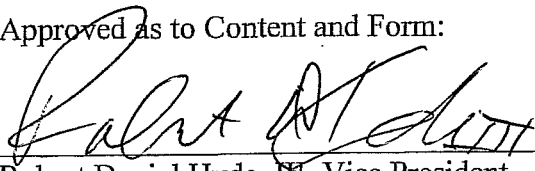


A. Heath Abshure
Arkansas Securities Commissioner

11-16-2010

Date

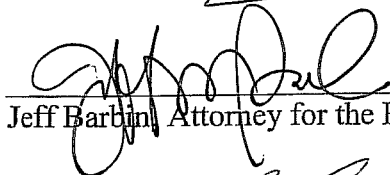
Approved as to Content and Form:



Robert Daniel Hyde, III, Vice President
Budget PrePay, Inc., the Respondent

11-12-2010

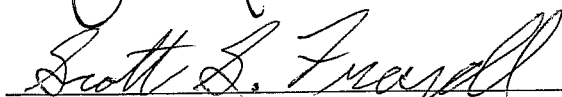
Date



Jeff Barbin, Attorney for the Respondent

11-15-2010

Date



Scott S. Freydl, Staff Attorney
Arkansas Securities Department

11/16/10

Date