

(This Newsletter is a quarterly publication containing topics of interest to the categories of MSBs regulated by the Georgia Department of Banking and Finance. We hope that you will find this publication to be informative and valuable for providing information about the issues affecting your industry. If there are any issues you would like for the Department to highlight or address in future editions, please e-mail your questions or suggestions to MSBDBF@dbf.state.ga.us.)

REGULATORY MATTERS

Georgia News

FAILURE TO REMIT

During the recent semi-annual reporting period the Department learned that some agents for money transmitters and sellers of checks licensees are not paying the licensee on a timely basis, and the licensees are not reporting this to the Department as required by the following:

Rule 80-3-1-.06(1) of the Department of Banking and Finance states, in part, that *"Sale of check and money transmitter licensees shall file with the Department the name, location, and federal tax identification number of any agent within this state who has failed to remit to the licensee the proceeds received from the sale of the licensee's checks or from licensee's money transmission activities within five (5) business days, or such lesser period of time as the licensee shall require, from the date of such sale or order to transmit and whose agency status has been terminated due to said failure with an outstanding liability due to the licensee. The report shall state the aggregate amount of unremitted check sales or money transmission proceeds due to the licensee and any provisions which have been made to recover same."*

So what does this mean? The licensee must notify the Department when one of their agents is terminated for failing to remit funds. It has come to the Department's attention that some licensees are waiting until the semi-annual reporting requirement period before identifying these failed agencies. Although it still needs to be reported during the semi-annual reporting time periods, the Department encourages the licensees to also send notification in a more timely manner, since an agent who has their relationship terminated is likely to be operating in a manner that the Department may need to investigate.

Thank you for your attention to this issue and thank you for your timely semi-annual reporting. To facilitate any interim reporting of such agents, the licensee is asked to please aggregate instances and file a report monthly.

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"GAPS"

New Fingerprinting Process in Georgia

The Georgia Bureau of Investigation, through Cogent Systems, is now providing electronic fingerprint submission services for MSB licensing and employment purposes under O.C.G.A. Title 7, Chapter 1, Articles 4 and 4A ("MSB Legislation") for those located in or near the State of Georgia. The new service, **Georgia Applicant Processing Services** ("GAPS"), decreases the need for agencies/businesses to submit hardcopy fingerprint cards and provides the ability for applicants to have fingerprint background checks processed electronically in a non-criminal justice environment.

GAPS provides fixed office locations throughout the state so that Georgia residents will not have to travel more than 25 miles to a GAPS office. [Print Locations](#) are available on the web. Search results of the fingerprint background check should be available for agency retrieval from the GAPS website within 24 to 48 hours after the applicant is fingerprinted and the transaction submitted to GCIC for processing.

Electronic submission of fingerprint images will involve the use of a Cogent *Livescan* machine. The *Livescan* is essentially a sophisticated scanner/personal computer that captures fingerprint images and demographic data and submits this information to GBI. GBI conducts a search of its criminal history records using the fingerprint images and, for the Department, these images are forwarded to the FBI where a Federal Criminal History Record search is also conducted. Notifications of the search results are forwarded from the GBI/FBI to Cogent Systems which electronically disseminates the search results to the Department.

Review of Outsourcing Criminal History Processing/Fees

For additional information regarding the history of outsourcing criminal history processing, please visit: https://www.ga.cogentid.com/GA_DOCS_html/Outsourcing_Narrative_09102007.htm. This document

also discusses security and privacy of the system.

Fee information for processing is available at https://www.ga.cogentid.com/GA_DOCS_html/GA_Fees_10012007.htm.

The processing fee for mortgage licensing requests is \$32.15. The fee is payable by the applicant at the GAPS Print Location. **Only** credit cards and money orders are accepted for payment.

Georgia Criminal History Record Information Obtained For Employment by Licensees

Obtaining Georgia criminal history record information (background checks) as required under the MSB Legislation by licensees on their employees, based on a search of name and descriptive data only, is still obtainable from local law enforcement agencies providing this service. A [background check authorization form](#) is available on the Department's website. Please contact local law enforcement agencies directly for information on agency specific requirements and fees. Background Check results that indicate the data is incomplete or which indicate the individual is a multisource offender require the employer to submit fingerprint cards on that employee to the Department for further investigation. Georgia licensees with access to GAPS locations should follow these procedures for obtaining fingerprint card results through GAPS on its employees if required.

General Instructions

Instructions and forms are available on the [DBF website](#). See the GAPS area on the page. Please follow those instructions to provide fingerprint card/criminal history GAPS search information to the Department or to request cards, depending upon your circumstances. The Department will enter the required GAPS transaction information. Card requests should still be submitted on-line. Submit information by: **Fax** to (770) 986-1029 or scanned by **E-mail** to MSBDBF@dbf.state.ga.us:

- ◆ Personal identifying information is submitted to the Department using an [Applicant Registration Form](#).
- ◆ Submit GAPS Waiver/Acknowledgement Form to the Department using an [Acknowledgement Form](#).
- ◆ Fax or scan and e-mail both documents to the

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Department as noted above.

- ◆ The Department will enter the registration information online and send you a Registration ID Number.
- ◆ Applicant then contacts a GAPS Print Location to make an appointment or verify hours of operation.
- ◆ Requirements for completing prints at the chosen GAPS location are: payment (credit card or money order **ONLY** payable to Cogent Systems – GAPS), photo ID, and Department supplied Registration ID Number.
- ◆ Once prints are taken, the Department will receive the results. Please e-mail MSBDBF@dbf.state.ga.us to let us know the process has been completed and to expect the results.

****WANTED****

YOUR E-MAIL ADDRESS

The Department will, in the near future, be sending all notices and official information to licensees and registrants by e-mail. This will be true for all licensees, both those licensed under **ARTICLE 4 - SALE OF CHECKS OR MONEY ORDERS** and those licensed or registered under **ARTICLE 4A - CASHING CHECKS, DRAFTS, OR MONEY ORDERS FOR CONSIDERATION**. This process will begin with Article 4 licensees with the gradual inclusion of Article 4A Check Casher Licensees and Registrants over time. Notice will be provided in this newsletter or by postal service mail when that process will begin.

The Department is letting you know now so that you will, in anticipation of this delivery process, do the following:

- Make certain that the Department has your current e-mail address on file, and that notification of changes in that address are made at: http://dbf.georgia.gov/00/channel_title/0,2094,43414745_46385621,00.html#onLine
- Make certain that your e-mail account does not divert Department e-mail to your spam or junk folder.
- Make certain you are knowledgeable of website information, renewal or other filing due-dates, and

check the DBF website for information. Information is posted on the web, in the event you did not get your personalized e-mail.

CHECK CASHING CLASS

The Department is offering a class on the Rules and Regulation requirements for check cashers. The class is free and is not mandatory but is a great way to learn about state law and regulations as well as the Bank Secrecy Act and Anti-Money Laundering requirements. Read the law and the rules and bring your questions to ask the examiners! Gain knowledge so that you might avoid violations and fines.

Come to our office on the second Tuesday of the month. The class size is limited in space and time, but if the demand is great enough, more classes will be scheduled. This is a one-hour class. You must reserve a seat by emailing MSBDBF@dbf.state.ga.us. The next class is April 14, 2009 at 10:00. Reserve your seat NOW! We look forward to seeing you.



HOLIDAY CLOSING



The Department will be closed on Monday, April 27, 2009 for Confederate Memorial Day.

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BSA/FEDERAL NEWS

FinCEN Educational Pamphlet on the Currency Transaction Reporting Requirement

The Financial Crimes Enforcement Network (FinCEN) is providing an educational pamphlet, "Notice to Customers: A CTR Reference Guide," for financial institutions and their customers containing information on the currency transaction reporting (CTR) requirement. FinCEN is providing this pamphlet as a resource for financial institutions to help address questions frequently asked by their customers. The pamphlet, which can be provided to customers, uses plain language to explain the CTR reporting requirement to those who may not be familiar with a financial institution's obligations under the Bank Secrecy Act (BSA). For example, the pamphlet explains that large currency transactions are not illegal, and that financial institutions are required to obtain information from their customers when these transactions do occur. The pamphlet does not alter in any way a financial institution's BSA reporting requirements and explains that if a customer attempts to break up, i.e. "structure," transactions in order to evade the CTR reporting requirement there are potential civil and criminal consequences. In the pamphlet, FinCEN explains what constitutes structuring and provides examples of structured transactions.

Financial institutions are in no way required to use the pamphlet, but they may find it useful for communicating with customers, such as when a customer opens an account and expects to handle large amounts of currency or when a customer has questions about

particular currency transactions. While financial institutions are encouraged to educate their employees on the proper use of this pamphlet, it is not intended as a replacement for adequate employee training.

In developing this pamphlet, FinCEN consulted with the Bank Secrecy Act Advisory Group (BSAAG) to identify the most efficient and effective method of providing institutions a resource that explains the CTR requirement to their customers. The pamphlet was created out of dialogue between industry, law enforcement, and other regulatory bodies. Downloadable versions with same text but different print options are on the FinCEN website at:

<http://www.fincen.gov/whatsnew/pdf/CTRPamphletBW.pdf>
and

<http://www.fincen.gov/whatsnew/pdf/CTRPamphlet.pdf>

So if you are asked "Why are you reporting this?" by a customer, an easy answer will be to provide them with the pamphlet.

MSB Information - Moving to FinCEN.gov

Spring 2009 marks the transition of all information for money services businesses to the main FinCEN website. Once the conversion is complete, users will find all of the same information on the new web site that is currently available at www.msb.gov. After the conversion is complete, if you link on the MSB website through www.msb.gov you will be automatically redirected to the new location:

http://www.fincen.gov/financial_institutions/msb/.

E-MAIL UPDATES!!! <https://bkgfin.dbf.state.ga.us/MSBUpdate.html>

A reminder –make certain we have the correct e-mail address for your license or registration so that you will receive all notices and correspondence!

ACTION ON APPLICATIONS DURING THE PREVIOUS QUARTER

APPROVED CHECK CASHERS (License/Registration) - First Quarter 2009

Lic #	Company Name	DBA Name	City	Type	Approved
23780	Gallons 2 Go, Inc.		Chatsworth	R	01/08/09
23781	Sahithi, LLC	S & J Food Mart	Woodstock	R	01/08/09
23782	Secure Investments Inc.		Lilburn	L	01/08/09
23783	BuckAtlanta Investments, Inc.		Jasper	L	01/08/09
23784	Neighborhood Financial Center Inc.		Lawrenceville	L	01/08/09
23788	Charlie's Beer & Wine, Inc.	Charlie's Beer & Wine	Marietta	L	01/08/09
23796	Mee-Jays, Inc.	Citgo Express	Cartersville	R	01/16/09
23797	La Michoacana Enterprises, Inc.	La Michoacana	Dalton	R	01/16/09
23798	Golden Forest Spirits, Inc.	Hal's Beer and Wine	Decatur	L	01/30/09
23803	Jack in the Box Check Cashing, Inc.	Jack in the Box Check Cashing	Pooler	L	01/27/09
23804	KBAP Inc.	Shurlington Food Mart	Macon	R	01/26/09
23809	Robert Lee Bailey	Robert Lee Bailey	Dublin	R	01/26/09
23816	MJ's Bill Pay & Tax Services, LLC		Columbus	R	01/26/09
23820	Humza, Inc.	Super Grand's	Cedartown	R	01/28/09
23822	Blough Tech, Inc.		Cairo	R	01/29/09
23823	T & R Food Store, Inc.	Super Shop	Americus	R	02/13/09
23827	Akshay, Inc.	Citgo Food Mart	Riverdale	R	01/30/09
23828	Enlighten Enterprise, Inc.	One Stop Shop	Atlanta	R	01/30/09
23829	Saurin, Inc.	Northside	Butler	L	02/17/09
23830	Mithson, Inc.		Gainesville	R	02/05/09
23831	Mohammad Sheikh	Twin Pic	Forest Park	R	02/04/09
23832	Viraj Enterprises, Inc.	B. J.'s Express	Blakely	R	02/05/09
23833	Ase-Ri Corporation		Conyers	L	02/05/09
23834	H&V Food Corp.	Bravo Farmer's Market	Norcross	L	02/09/09
23835	Umi Salma, Inc.	Mr. Check Cashier	Austell	L	02/09/09
23836	Guerrero Group, LLC	Guerrero Financial Services	Dalton	L	02/09/09
23837	Gwinnett Business, Inc.	Auburn Express	Auburn	R	02/12/09
23838	Chung's Enterprise, LLC	C&K Check Cashing	Norcross	L	02/10/09
23840	P Khushi, LLC	Mac's Milk	Hazlehurst	R	02/10/09
23846	Sebo, LLC	Quick-Serve	Austell	R	02/12/09
23847	Deedar Ali Boricha	Petro Mart	Austell	R	02/10/09
23848	High Falls Bar-B-Que & Beverage, Inc.		Barnesville	L	02/16/09
23849	RSU Enterprises, LLC	Buena Vista Services	Buena Vista	R	02/18/09
23852	Applejac, LLC	Ajax Liquor	Albany	R	02/16/09
23855	MP Gainesville, LLC	Texaco at Lakeshore	Gainesville	L	02/17/09
23856	Madhavi Enterprise, LLC	Sam's Danfair Express	Americus	R	02/18/09
23859	Albany, Inc.	Bell Smith Foods	Baxley	R	02/20/09
23861	Insurance Unlimited, Inc.		Tifton	L	02/23/09



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Lic #	Company Name	DBA Name	City	Type	Approved
23863	Carniceria Latina, Inc.	Carniceria Latina	Dalton	L	02/27/09
23864	Hart & BB Check Cashing Service, LLC	Hart & BB Check Cashing	Marietta	L	02/27/09
23868	Amaan Enterprises, Inc.	Loganville Chevron	Loganville	R	03/03/09
23877	Sunayna, Inc.	Sylvania Discount Tobacco	Sylvania	L	03/06/09
23878	Hector Espinoza	La Esperanza	Wrens	L	03/06/09
23879	Jignasa U. Patel	Check Cashing	Claxton	L	03/06/09
23880	Petro of Roopville, Inc.	Petro Gas	Roopville	R	03/06/09
23881	Brennan Beverage, Inc.	Hill Street Booze	Valdosta	R	03/06/09
23884	Fiesta Latina Music, LLC	Fiesta Latina Music	Douglasville	R	03/10/09
23887	Adrian Salaires	Carnicera Nacho	Dalton	L	03/10/09
23890	I. Choi Corporation	The Station House	Augusta	L	03/11/09
23891	Jean C. Hayes	Spalding Pawn	Griffin	L	03/13/09
23899	Jaiprabhu, Inc.	Hungry Lion	Baxley	R	03/24/09
23901	Shakti Corporation	Elberton Package	Elberton	R	03/24/09
23902	Shivam & Anjali Corporation	221 Quick Stop	Hazlehurst	R	03/24/09
23903	Eutiquio Arroyo	Tienda Hispana La Michoacana	Lavonia	R	03/25/09
23904	Ray's Business, Inc.	Ray's Corner Station	Commerce	L	03/25/09
23906	Umiya Ma, Inc.	Stop N Shop	Valdosta	R	03/26/09
23910	Advanced Title Pawn of Dalton, LLC	Advanced Title Pawn	Dalton	L	03/27/09
23911	Andshil, Inc.	Elm Street Food & Beverage	Rome	R	03/26/09
23912	Gauresh Food Mart, Inc.	Pure Food Mart	Covington	R	03/30/09
23913	Moonshil, Inc.	Bottle & Basket	Rome	R	03/30/09
23914	Jay Varahi Krupa, Inc.		Cartersville	L	03/31/09
23917	Retail Marketing Corporation		Forest Park	R	03/21/09
23919	620 Highway 155 South, LLC	Shell Food Mart	Dublin	R	04/01/09
TOTAL					63

R=Registrant L=Full Service

EXPIRED/CLOSED CHECK CASHERS (License/Registration)

Lic #	Company	DBA Name	City	Type	Date Closed
19341	Cash Max Check Cashing, Inc.	Cash Max	Duluth	LD	01/16/09
20609	R&S United, Inc.	Prime Communications	Mableton	RD	01/20/09
20892	S & K Mega Enterprise, LLC	Citgo Quik Mart	Lawrenceville	LD	04/01/09
20965	Sylvia S. Russell	Buena Vista Services	Buena Vista	RD	02/18/09
20972	Y I, Inc.	Charlie's Beer & Wine	Marietta	RD	01/15/09
21770	Patsy A. Colleps	J & P's Convenient Store	Calhoun	RD	03/09/09
22244	Jai Mataja, Inc.	Hungry Lion	Baxley	RD	03/24/09
22355	BIG YHL, Inc.	C & K Check Cashing	Norcross	LD	02/10/09
22629	Umar Arshad	Twin Pic	Forest Park	RD	02/04/09
23116	AJL Enterprises, Inc.	Discount Food Mart	Atlanta	LD	01/15/09
23130	San Jose #1, LLC	San Jose Tienda Mexicana	Cartersville	LD	03/27/09
23314	Mata, Inc.	221 Quick Stop	Hazlehurst	RD	03/24/09
23613	Blackshear Investment Group, Inc.	Whistle Stop Package Store	Blackshear	RD	02/18/09
TOTAL					13



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APPROVED/EXPIRED CHECK SELLERS/ MONEY TRANSMITTERS

Lic #	Company Name	DBA Name			City	ST
Approved Money Transmitters			Approved			
23794	BraxUSA, LLC		01/21/09		KENNESAW	GA
23795	Gilbert M. Lawson	Money Wire Express	03/09/09		CARTERSVILLE	GA
23873	Temam Juhar	Adika International	03/09/09		LAWRENCEVILLE	GA
Total						3
Closed Money Transmitters		DBA Name		Closed	City	ST
19519	Anh Minh Money Transfer, Inc.	Anh Minh Money Transfer		03/12/09	Westminster	CA
Total						1
Approved/Closed Seller of Check Licensees		DBA Name	Approved	Closed	City	ST
	NONE					
Total						0



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Department Contact Information

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E-MAILING THE DEPARTMENT

The Department would like to encourage you to correspond with us using e-mail. Providing written details in the e-mail regarding any questions or concerns you may have allows the Department to forward the request to the appropriate person who handles that area, and if sufficient details are included in the request, that person can then more efficiently provide you an answer. The main Division e-mail address is MSBDBF@dbf.state.ga.us

In the event you still need additional information or you do not receive a timely response to your e-mail, please contact us by phone.

NOTE: This publication is delivered to interested parties via e-mail and is also available from the Department's website at: [http:// dbf.georgia.gov](http://dbf.georgia.gov) under News/Press Releases. If you would like to be added to our distribution list, please send an e-mail to MSBDBF@dbf.state.ga.us and indicate your name, the company you are with, license or registration # (if applicable), and phone number. Also, please indicate which publication(s) you would like to receive. See the list under PUBLICATIONS on our home page.

