

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS.

COMMISSIONER OF BANKS
No. 2017-0015

In the Matter of)
MONEY IN A DAY, LLC)
Goffstown, NH)

And)

Supawadee Chauvette,)
Individually)
_____)

CEASE DIRECTIVE

WHEREAS the Commissioner of Banks (Commissioner), having determined that Supawadee Chauvette and Money in a Day, LLC (Money in a Day or Company), located at 21 Hemlock Drive, Goffstown, New Hampshire, has engaged, or is engaged in, or is about to engage in, acts or practices constituting violations of Massachusetts General Laws chapter 169 and applicable regulations found at 209 CMR 45.00 *et seq.*,

The Commissioner hereby issues the following CEASE DIRECTIVE pursuant to General Laws chapter 169, section 1.

FINDINGS OF FACT

1. The Division of Banks (“Division”), through the Commissioner, has jurisdiction over the licensing and regulation of persons engaged in the business of receiving deposits of money for the purpose of transmitting same to a foreign country (“Foreign Transmittal Company”) pursuant to Massachusetts General Laws chapter 169.
2. Money in A Day is registered with the New Hampshire Secretary of State Corporate Division as a domestic limited liability company whose principal purpose is to “[e]ngage in the business of the exchange of currencies and related services.”

3. The Company is listed as having been created on June 22, 2015 and its current business status is "Not In Good Standing".
4. Supawadee Chauvette is listed with the New Hampshire Secretary of State as the registered agent of Money in a Day, located at 21 Hemlock Drive, Goffstown, New Hampshire.
5. Upon information and belief, Supawadee Chauvette and Money in a Day is also operating at 339 Mitchell Street, Manchester, New Hampshire.
6. The Division has reason to believe Supawadee Chauvette and Money in a Day engaged in the activity of a Foreign Transmittal Company for Massachusetts consumers without a license, in violation of General Laws chapter 169.
7. Upon information and belief, the Company has transmitted funds on behalf of Massachusetts consumers at least 116 times between January and October 2017.
8. According to the Division's records, neither Supawadee Chauvette nor Money in a Day have applied or have obtained a license from the Commissioner pursuant to General Laws chapter 169, section 3, to engage in the activity of a Foreign Transmittal Company.
9. The Division has reason to believe that Supawadee Chauvette and Money in a Day continue to engage in the activity of a foreign transmittal agency in violation of General Laws chapter 169, section 3.

ORDER TO CEASE AND DESIST

After taking into consideration paragraphs 2 through 5 herein, it is hereby:

ORDERED that Supawadee Chauvette and Money in a Day shall immediately cease from engaging directly or indirectly in the business of a Foreign Transmittal Company on behalf of Massachusetts consumers without first obtaining a license from the Commissioner for such location(s) in accordance with Massachusetts General Laws chapter 169, section 3.

IT IS FURTHER ORDERED Supawadee Chauvette and Money in a Day shall provide the Division with a complete record of all monies received and transmitted by the Company during the period from December 1, 2014 through the effective date of this CEASE DIRECTIVE. The records to be produced in accordance with Massachusetts General Laws chapter 169, section 11 shall include, but are not limited to, all bank account records used in the transmittal of funds for individuals, the names and addresses of all individuals who have conducted a foreign transmittal of money for the purpose of transmitting the same or equivalents thereof to foreign countries, the amount of each transmittal, the transaction numbers, and the total fees charged on each transaction.

IT IS FURTHER ORDERED that that Supawadee Chauvette and Money in a Day shall reimburse fees to all persons for whom the unlicensed foreign transmittal of money was executed between December 1, 2014 and the effective date of this CEASE DIRECTIVE. Reimbursements shall be made to each person on a per transaction basis in an amount equal to the entire portion of the transmittal fee retained by Supawadee Chauvette and/or Money in a Day for such transaction. A record shall be provided to the Division of the names and addresses of all individuals who have deposited money with Supawadee Chauvette and/or Money in a Day for the purpose of foreign transmittal, the amount of each transmittal, the transaction numbers, the total fees charged on each transaction, the portion of the transmittal fee retained by Supawadee Chauvette and/or Money in a Day, the check numbers of payments issued by them to evidence reimbursements made to consumers, and the amount reimbursed to each individual.

NOTICE OF RIGHT TO A HEARING

Supawadee Chauvette and Money in a Day or their authorized representative(s) are required to file an Answer or otherwise respond to the Charges contained in this Order and Notice within twenty-one (21) days of its effective date, pursuant to the Standard Adjudicatory Rules of

Practices and Procedures, 801 CMR 1.01(6)(d). Failure to do so will result in a default judgment against Supawadee Chauvette and/or Money in a Day.

Supawadee Chauvette and/or Money in a Day may request a hearing on the charges described herein. If requested, the hearing would be conducted according to General Laws, chapter 30A, sections 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03.

The Answer, and any subsequent filings that are made in conjunction with this proceeding, shall be directed to the Administrative Hearings Officer, Division of Banks, with a copy to Prosecuting Counsel. All papers filed in regards to this matter shall be addressed to the attention of:

Administrative Hearings Officer
Division of Banks
1000 Washington Street, 10th Floor
Boston, Massachusetts 02118

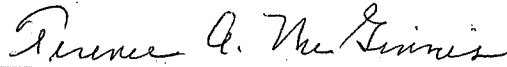
Prosecuting Counsel for this matter is:

Amanda B. Loring, Esq.
Division of Banks
1000 Washington Street, 10th Floor
Boston, Massachusetts 02118

Supawadee Chauvette and/or Money in a Day have the right to request discovery in preparation for the hearing pursuant to 801 CMR 1.08. You are further advised that Supawadee Chauvette and Money in a Day have the right to be represented by counsel or another representative, to call and examine witnesses, to introduce exhibits, to cross-examine witnesses who testify against them and to present oral arguments.

BY ORDER AND DIRECTION OF THE COMMISSIONER OF BANKS.

Dated at Boston, Massachusetts, this 9th day of December, 2017.



Terence A. McGinnis