

**STATE OF NORTH DAKOTA
DEPARTMENT OF FINANCIAL INSTITUTIONS**

IN RE: OLYMPIC FINANCIAL GROUP,)	
INC. d/b/a OFG, Inc.)	OAH FILE NO. 20200304
NMLS # 901913)	
ND LICENSE # MT102416)	
)	

CONSENT ORDER

WHEREAS, the North Dakota Department of Financial Institutions (“the Department”) asserts that Olympic Financial Group, Inc. d/b/a OFG, Inc. (“Respondent”) has engaged in acts, practices, or transactions (the “Violations”) that are prohibited under provisions of the North Dakota Century Code (N.D.C.C.) Chapter 13-09¹, as set forth below;

WHEREAS, as a result of the asserted Violations, the Department issued an Order for Revocation and Notice of Right to Request a Hearing (the “Order for Revocation”) and an Order to Cease and Desist and Notice of Right to Appeal (the “Order to Cease and Desist”) upon Respondent on July 29, 2020;

WHEREAS, Respondent requested an administrative hearing on the Department’s Order for Revocation and Order to Cease and Desist;

WHEREAS, Respondent and the Department wish to resolve the Order for Revocation and Order to Cease and Desist without further administrative proceedings or litigation; and

WHEREAS, Respondent and the Department enter into this Consent Order to fully resolve the ongoing administrative proceeding and replace the Order for Revocation and the Order to Cease and Desist;

¹ This case arises under the prior version of N.D.C.C. Chapter 13-09 that was in place as of July 29, 2020, and all references to the Chapter 13-09 herein are to such prior version.

NOW, THEREFORE, Respondent and the Department agree to the terms and conditions in this Consent Order.

RECITALS

1. Respondent is a Minnesota corporation registered as a business corporation with the North Dakota Secretary of State, with a principal place of business at 375 Cedar Avenue S., Suite 7, Minneapolis, MN 55454.
2. Respondent was engaged in the business of money transmission services in North Dakota under the corporate name of Olympic Financial Group, Inc., and under the trade name OFG, Inc.
3. Respondent was issued a money transmitter license by the Department on August 27, 2012, to conduct money transmission services in North Dakota under license number MT102416.
4. On July 29, 2020, the Commissioner of the Department issued an Order for Revocation, seeking to revoke Respondent's money transmitter license under the provisions of N.D.C.C. § 13-09-17.
5. On July 29, 2020, the Commissioner also issued an Order to Cease and Desist, requiring Respondent to immediately cease and desist conducting money transmission services in the State of North Dakota under the provisions of N.D.C.C. § 13-09-19.
6. Respondent timely requested a hearing on the Order for Revocation and Order to Cease and Desist, pursuant to N.D.C.C. §§ 13-09-17(2) and (3), and 13-09-19(4), appealing the Department's Order for Revocation and Order to Cease and Desist. The Department requested the Office of Administrative Hearings conduct an administrative hearing of the appeal pursuant to N.D.C.C. ch. 28-32.

7. Due to the Order for Revocation and Order to Cease and Desist, Respondent's North Dakota money transmitter license has not been renewed. And, due to the ongoing status of the administrative proceeding, a final order revoking the Respondent's license has not been entered as would be required pursuant to N.D.C.C. § 13-09-17(3).
8. On or around December 5, 2023, Respondent retained new legal counsel experienced with state regulatory compliance, licensing, and money transmitter laws to assist Respondent with complying with such laws.

LEGAL STANDARDS AND DESCRIPTION OF VIOLATIONS

9. The Department is authorized to license money transmitters in North Dakota under N.D.C.C. § 13-09-01.
10. Pursuant to N.D.C.C. § 13-09-17(1), the Department is authorized to suspend or revoke a licensee's money transmitter license upon a finding that a violation of N.D.C.C. § 13-09-17(1)(a)-(l) has occurred.
11. Pursuant to N.D.C.C. § 13-09-19, the Department is authorized to order a licensee to cease and desist money transmission activity upon a determination that a licensee has committed a violation of N.D.C.C. Chapter 13-09.
12. The Department is authorized and empowered to administer and enforce N.D.C.C. Chapter 13-09.
13. The Department finds that Respondent engaged in the following conduct:
 - a) Respondent has operated its money transmission services in North Dakota using a subdelegate without the written consent of the Commissioner, in violation of N.D.C.C. § 13-09-15(2).

- b) Respondent has operated its money transmission services in North Dakota using a delegate agreement that failed to comply with N.D.C.C. § 13-09-15.
 - c) Respondent failed to apply to the Commissioner for approval of a subdelegate in violation of N.D.C.C. § 13-09-15(2).
 - d) Respondent failed to report material changes to the Commissioner, which included the addition of an unapproved subdelegate and a small claims court judgment against a subdelegate related to money transmission, in violation of N.D.C.C. § 13-09-11(1).
 - e) Respondent failed to report to the Department a list of all authorized delegate locations on annual reports for 2016, 2017, and 2018, in violation of N.D.C.C. § 13-09-10(2)(e).
 - f) Respondent failed to maintain an accurate record of Currency Transaction Reports filed, which is a violation of federal law under 31 CFR § 1010.306(a)(2), and therefore, a violation of state law under N.D.C.C. § 13-09-25(7).
 - g) Respondent failed to maintain an adequate list of authorized delegates in violation of federal law under 31 § CFR 1022.380(d)(1) and state law under N.D.C.C. § 13-09-14(f).
 - h) Respondent failed to report adequate information on its authorized delegate list, in violation of 31 CFR § 1022.380(d) and N.D.C.C. § 13-09-25(7).
 - i) Respondent failed to adequately train authorized delegates in violation of 31 CFR § 1022.210(d)(3) and N.D.C.C. § 13-09-25(7).
14. As a result of the above conduct, the Department finds that Respondent engaged in the following prohibited acts and practices under N.D.C.C. § 13-09-25:
- a) Subscribed to, or made or caused to be made, a material false statement or representation in an application or other document or statement required to be filed

under any provision of N.D.C.C. Chapter 13-09, or omitted to state any material statement or fact necessary in order to make the statements made, in light of the circumstances under which the statements are made, not misleading.

- b) Directly or indirectly, made an untrue statement of a material fact or omitted to state a material fact.
- c) Failed to make disclosures as required by N.D.C.C. Chapter 13-09 and any other applicable state or federal law and regulations.
- d) Failed to comply with N.D.C.C. Chapter 13-09 or rules adopted under such chapter or failed to comply with any other state or federal law, including the rules and regulations thereunder, applicable to any business authorized or conducted under such chapter.
- e) Made one or more false or deceptive statements or representations.
- f) Negligently made one or more false statements or knowingly and willfully made an omission of material fact in connection with any information or reports filed with a governmental agency or in connection with any investigation conducted by the commissioner or another governmental agency.

CONSENT ORDER

- 15. Respondent shall withdraw its appeal of the Order for Revocation and Order to Cease and Desist.
- 16. Upon signing this Consent Order, Respondent will permanently cease engaging in the business of money transmission in the State of North Dakota.
- 17. The Department agrees to list Respondent's status in the NMLS and all other records as "Terminated – Ordered to Surrender".

18. In exchange for Respondent's withdrawal of its appeal and agreement to permanently cease engaging in the business of money transmission in the State of North Dakota, the Department agrees not to assess a fine against Respondent and not to enter a final Order for Revocation and final Order to Cease and Desist.
19. This Consent Order is entered into solely for the purpose of resolving the ongoing administrative proceeding and any potential further litigation between the Department and Respondent and does not constitute an admission of wrongdoing or liability on the part of Respondent or the Department.
20. By voluntarily entering into this Consent Order, Respondent waives its right to a hearing or appeal concerning the terms, conditions, or penalties set forth herein.
21. Respondent understands all terms and conditions in this Consent Order, consents to the entry of this Consent Order, and acknowledges that its consent is given freely and voluntarily and that, except as set forth herein, no promise was made to induce Respondent's consent.
22. The Department reserves all rights, duties, and authority to enforce all statutes, rules, and regulations under its jurisdiction against Respondent.
23. This Consent Order contains the entire agreement between the Department and Respondent. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Consent Order.
24. This Consent Order shall be governed by, enforced, and construed under the laws of the State of North Dakota. Any action taken with respect to this Consent Order must be venued in Burleigh County, North Dakota.

SIGNATURES

The terms and conditions set forth in this Consent Order are hereby agreed to. I certify under the penalty of perjury that I have taken all necessary steps to obtain the authority to bind Olympic Financial Group, Inc. to this Consent Order and that I have been duly authorized to enter into this Consent Order on behalf of the named Respondent.

OLYMPIC FINANCIAL GROUP, INC.

By:  _____ 02/12/2024
Date
Printed name: Abdulaziz Sugule
Title: President

The terms and conditions set forth in this Consent Order are hereby agreed to and ordered.

STATE OF NORTH DAKOTA DEPARTMENT OF FINANCIAL INSTITUTIONS

By:  _____ 2/8/2024
Date
Lise Kruse
Commissioner
North Dakota Department of Financial Institutions