
IN THE MATTER OF:

ARGENT TRUST COMPANY

(“Argent”)

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CONSENT ORDER

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration of Part V of Chapter 668, Sections 36a-595 to 36a-612, inclusive, of the Connecticut General Statutes, “Payment Instruments. Money Transmission”;

WHEREAS, Argent, formerly Argent Trust Company of Tennessee, is a Tennessee corporation with an office at 3102 West End Avenue, Suite 775, Nashville, Tennessee. Argent is a subsidiary of Argent Financial Group, Inc., a Louisiana corporation with an office at 500 E. Reynolds Drive, Ruston, Louisiana;

WHEREAS, the Commissioner, through the Consumer Credit Division of the Department of Banking, has investigated the activities of Argent pursuant to Section 36a-17 of the Connecticut General Statutes, as amended by Public Act 18-173, and Section 36a-608 of the Connecticut General Statutes, as amended by Public Act 18-173, to determine if it had violated, was violating or was about to violate the provisions of the Connecticut General Statutes within the Commissioner’s jurisdiction;

WHEREAS, from at least June 2012 to August 2018, Argent engaged in money transmission activities in this state;

WHEREAS, Argent has never acquired and/or maintained a money transmission license as required by Section 36a-597 of the Connecticut General Statutes at any point in time, during which it engaged in money transmission activities within the state;

WHEREAS, as a result of such investigation, the Commissioner alleges that Argent engaged in the business of money transmission in this state without a license, in violation of Section 36a-597(a) of the Connecticut General Statutes;

WHEREAS, the Commissioner believes that such allegation would support initiation of proceedings against Argent, including, without limitation, proceedings to issue a cease and desist order against Argent pursuant to Section 36a-608(c) of the Connecticut General Statutes, as amended, and Section 36a-52(a) of the 2018 Supplement to the General Statutes, issue an order to make restitution pursuant to Section 36a-608(c) of the Connecticut General Statutes, as amended, and Section 36a-50(c) of the 2018 Supplement to the General Statutes, and impose a civil penalty upon Argent of up to one hundred thousand dollars (\$100,000) per violation pursuant to Section 36a-608(c) of the Connecticut General Statutes, as amended, and Section 36a-50(a) of the 2018 Supplement to the General Statutes;

WHEREAS, initiation of such enforcement proceedings would constitute a “contested case” within the meaning of Section 4-166(4) of the Connecticut General Statutes;

WHEREAS, Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

WHEREAS, Argent neither admits nor denies any wrongdoing or has any direct response to the allegation set forth herein and enters this Consent Order as a means of resolution of the matter only and not as an admission of guilt;

WHEREAS, the Commissioner and Argent now desire to resolve the matters set forth herein;

WHEREAS, Argent represents that it is no longer engaging in the business of money transmission in this state as of September 5, 2018;

WHEREAS, Argent acknowledges that this Consent Order is a public record and is a reportable event for purposes of NMLS, as applicable;

AND WHEREAS, Argent, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a notice and an opportunity for a hearing as it pertains to the allegation set forth herein, voluntarily agrees to consent to the entry of the sanctions imposed below and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Argent, through its execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. No later than the date this Consent Order is executed by Argent, it shall remit to the Department of Banking by cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of Five Thousand Dollars (\$5,000) as a civil penalty; and
2. Argent shall not engage in the business of money transmission in the State without a license, in violation of Section 36a-597(a) of the Connecticut General Statutes, as amended by Public Act 18-173.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against Argent based upon the allegation contained herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Argent based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by Argent and reflected herein is subsequently discovered to be untrue;
3. Argent shall not take any action or make or permit any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis;

4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by Argent and its control persons on NMLS, as applicable, nothing in the issuance of this Consent Order shall adversely affect the ability of Argent to apply for or obtain an initial license or renewal license under Part V of Chapter 668, Sections 36a-595 to 36a-612, inclusive, of the Connecticut General Statutes, provided that all applicable legal requirements for such license are satisfied and the terms of this Consent Order are followed;
5. This Consent Order shall be binding on Argent and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 2nd day of November 2018.

_____/s/_____
Jorge L. Perez
Banking Commissioner

I, Kimberly Breithaupt, state on behalf of Argent Trust Company, that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of Argent Trust Company; that Argent Trust Company agrees freely and without threat or coercion of any kind to comply with the sanction entered and terms and conditions ordered herein; and that Argent Trust Company voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: _____/s/_____

Name: Kimberly Breithaupt
Title: Senior Vice President
Argent Trust Company

State of: Louisiana

Parish of: Lincoln

On this the 31st day of October 2018, before me, Christopher S. Holtzclaw, the undersigned officer, personally appeared Kimberly Breithaupt who acknowledged himself/herself to be the Senior Vice President of Argent Trust Company, a corporation, and that he/she as such Senior Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Kimberly Breithaupt.

In witness whereof I hereunto set my hand.

_____/s/_____

Notary Public
Date Commission Expires: w/life