

UNITED STATES OF AMERICA
 Before the
 CONSUMER FINANCIAL PROTECTION BUREAU

ADMINISTRATIVE PROCEEDING
 File No. 2015-CFPB-0029

In the Matter of INTEGRITY ADVANCE, LLC and JAMES R. CARNES,))))))))))	FINAL ORDER
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IT IS ORDERED that, within 30 days after service of this Final Order, Respondents Integrity Advance LLC and James R. Carnes must pay restitution of \$38,453,341.62. They shall make this payment by wire transfer to the Bureau, or to the Bureau’s agent. The Bureau may use these funds to provide redress to consumers who borrowed money from Respondent Integrity Advance on or after July 21, 2011, in the amount that each consumer paid in excess of the amount disclosed in the Total of Payments box of Integrity Advance’s loan agreement. If funds remain after this redress has been completed, the Bureau will deposit any remaining funds in the U.S. Treasury as disgorgement. Respondents will have no right to challenge any actions that the Bureau or its representatives may take under this portion of this Order. However, if either of the Respondents appeals this decision pursuant to 12 U.S.C. § 5563(b)(4), Respondents may, within 30 days after service of this Order, pay the award of restitution into an escrow account in lieu of making the payment to the Bureau. The escrow account shall be held by an entity that is chosen by Respondents and is acceptable to the Bureau. The escrow account shall be established so that if all or any portion of the restitution award is upheld on appeal, that amount shall be released to the Bureau within 30 days after the mandate issues on that appellate decision. Once the mandate has issued and the Bureau has received the portion of the restitution award to which it is entitled, any funds remaining in escrow shall be released to Respondents.

IT IS FURTHER ORDERED that, within 30 days after the service of this Final Order, Respondent Integrity Advance shall pay a civil penalty of \$7,500,000 to the Bureau by sending those funds by wire transfer to the Bureau or to the Bureau’s agent in compliance with the Bureau’s wiring instructions. The civil money penalty paid under this Consent Order will be deposited in the Civil Penalty Fund of the Bureau as required by § 1017(d) of the CFPA, 12 U.S.C. § 5497(d). If Integrity Advance appeals this decision pursuant to 12 U.S.C. § 5563(b)(4), Integrity Advance may, within 30 days after service of this Order, pay the civil penalty into an escrow account in lieu of making the payment to the Bureau. The escrow account shall be held by an entity that is chosen by Integrity Advance and is acceptable to the Bureau. The escrow account shall be established so that if all or any portion of the civil penalty is upheld on appeal, that amount shall be released to the Bureau within 30 days after the mandate issues on that appellate decision. Once the mandate has issued and the Bureau has received the portion of the restitution award to which it is entitled, any funds remaining in escrow shall be released to Integrity Advance.

IT IS FURTHER ORDERED that, within 30 days after service of this Final Order, Respondent James R. Carnes shall pay a civil penalty of \$5,000,000 to the Bureau by sending those funds by wire transfer to the Bureau or to the Bureau's agent in compliance with the Bureau's wiring instructions. The civil money penalty paid under this Consent Order will be deposited in the Civil Penalty Fund of the Bureau as required by § 1017(d) of the CFPB, 12 U.S.C. § 5497(d). If Mr. Carnes appeals this decision pursuant to 12 U.S.C. § 5563(b)(4), Mr. Carnes may, within 30 days after service of this Order, pay the civil penalty into an escrow account in lieu of making the payment to the Bureau. The escrow account shall be held by an entity that is chosen by Respondent and is acceptable to the Bureau. The escrow account shall be established so that if all or any portion of the civil penalty is upheld on appeal, that amount shall be released to the Bureau within 30 days after the mandate issues on that appellate decision. Once the mandate has issued and the Bureau has received the portion of the restitution award to which it is entitled, any funds remaining in escrow shall be released to Integrity Advance.

IT IS FURTHER ORDERED that Respondents Integrity Advance and James R. Carnes, their successors and assigns, and their officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, shall cooperate in assisting the Bureau in determining the identity, location, and amount of restitution due to each consumer entitled to redress.

SO ORDERED.



Kathleen L. Kraninger

Director

Consumer Financial Protection Bureau

January 8, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the *Final Order* upon the following parties and entities in Administrative Proceeding 2015-CFPB-0029 as indicated in the manner described below:

Via Electronic Mail to Representatives for Consumer Financial Protection Bureau

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Jameelah
Morgan

Digitally signed by
Jameelah Morgan
Date: 2021.01.11
14:38:24 -05'00'

Jameelah Morgan
Docket Clerk
Office of Administrative Adjudication
Bureau of Consumer Financial Protection

Signed and dated on this 11th day of January 2021
at Washington, D.C.