

STATE OF NEBRASKA
Department of Banking & Finance

IN THE MATTER OF:)	
)	
Lincoln Closing and Escrow Services,)	ORDER TO
Purportedly located at 1248 "O" Street,)	
Lincoln, Nebraska; and)	
)	CEASE AND DESIST
All Officers, Directors, Employees,)	
And Agents, Thereof)	

THIS MATTER comes before the Nebraska Department of Banking and Finance ("DEPARTMENT"), by and through its Director, pursuant to its authority under the Nebraska Sale of Checks and Funds Transmission Act, Neb. Rev. Stat. §§ 8-1001 to 8-1019 (Reissue 2012) (the "Act").

Pursuant to Neb. Rev. Stat. § 8-1017 (Reissue 2012), the DEPARTMENT has conducted an investigation of the acts of Lincoln Closing and Escrow Services, purportedly located at 1248 "O" Street, Lincoln, Nebraska ("LCE") and all officers, directors, employees, and agents, thereof.

In support of this Order, the DEPARTMENT makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. On May 29, 2013, the DEPARTMENT was contacted by CA1, a resident of California, who informed the DEPARTMENT that his wife, CA2, was doing business with LCE in connection with a sale of timeshares in Mexico. CA2 submitted further information concerning the transactions on May 30, 2013.

2. During the course of the transaction, CA2 and CA1 had become suspicious of LCE and requested information concerning LCE's licensure. LCE provided them with a

copy of a Sale of Checks and Funds Transmission License that was originally issued to Skrill USA, Inc., 61 Broadway, Suite 1603, New York, NY 10006 (“SKRILL”).

3. The copy that was provided to CA2 and CA1 was not a true and correct copy of the license issued by the DEPARTMENT to SKRILL. It had been altered from the original to add the DBA “Lincoln CClosing [sic] & Escrow Services, Lancaster County, Lincoln, NE.” The license also contained an altered seal and a number of typographical errors not contained in the original license issued to SKRILL. The license provided to CA2 and CA1 was fraudulent.

4. The DEPARTMENT contacted SKRILL which confirmed that it had never adopted LCE as a trade name and had no affiliation with LCE.

5. The DEPARTMENT has determined that LCE is not physically located at 1248 “O” Street, Lincoln, Nebraska. It appears that LCE is part of a timeshare scam originating in Mexico. However, LCE is holding itself out as a licensee of the DEPARTMENT under the Act and providing potential victims with a fraudulent license in an effort to convince customers that it is legitimate.

6. During the course of the transaction, LCE promised to wire the proceeds from a sale of two timeshare properties to CA2. LCE subsequently informed CA2 that the Mexican government would not allow the transfer until the taxes were paid. CA2 wired funds to a bank account in Mexico to allow LCE to pay the purported Mexican taxes.

CONCLUSIONS OF LAW

1. Neb. Rev. Stat. § 8-1001(3) (Reissue 2012) defines “check” as any check, draft, money order, or other instrument, order, or instruction for the transmission or payment of money.

2. Neb. Rev. Stat. § 8-1002 (Reissue 2012) provides that no person shall engage in the business of selling checks, as a service or for a fee or other consideration, without having first obtained a license under the Act.

3. Neb. Rev. Stat. § 8-1016(1) (Reissue 2012) provides that the DEPARTMENT may order any person to cease and desist whenever the DEPARTMENT determines that the person has violated any provision of the Act.

4. LCE is holding itself out as a licensed Sale of Checks and Funds Transmitter pursuant to the Act, when in fact no such license has ever been issued to LCE. LCE has therefore violated the Act by acting as a funds transmitter without a license, and by falsely impersonating a licensee.

ORDER

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED that Lincoln Closing and Escrow Services, purportedly located at 1248 "O" Street, Lincoln, Nebraska ("LCE") and all officers, directors, employees, and agents, thereof, shall immediately cease and desist from selling checks and/or transmitting money in Nebraska without obtaining the required license.

IT IS FURTHER ORDERED that Lincoln Closing and Escrow Services, purportedly located at 1248 "O" Street, Lincoln, Nebraska ("LCE") and all officers, directors, employees, and agents, thereof, shall immediately cease and desist from falsely impersonating SKRILL or any other Sale of Checks and Funds Transmission licensee.

IT IS FURTHER ORDERED that Lincoln Closing and Escrow Services, purportedly located at 1248 "O" Street, Lincoln, Nebraska ("LCE") and all officers, directors, employees, and agents, thereof, may file a written request for hearing within fifteen (15) business days after the date of this Order. A hearing will be scheduled within thirty (30)

business days after the date of the DEPARTMENT's receipt of such a request unless the parties consent to a later date or the hearing officer sets a later date for good cause. The party or parties requesting the hearing shall bear the cost of such hearing. If no hearing is requested and none is ordered by the Director, this Order shall remain in effect until it is modified or terminated.

DATED this 3rd day of June, 2013.



**STATE OF NEBRASKA
DEPARTMENT OF BANKING AND FINANCE**

By: 

John Munn, Director

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