

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

STC and LAM Inc.; Tien Tran; Stella Lam; and)
Huy Lam; License Reference No. 0806694.)

FINAL ORDER
AGAINST TIEN TRAN

TO: Tien Tran
1128 South 2nd St.
Philadelphia, PA 19147

THIS MATTER having been opened by the Commissioner of the New Jersey Department of Banking and Insurance (“Commissioner”), upon information that STC and Lam Inc., Stella Lam, Huy Lam, and Tien Tran, (collectively, “Respondents”), may have violated various provisions of the New Jersey Money Transmitters Act, N.J.S.A. 17:15C-1 to -27 (“Act”); and

WHEREAS, STC and Lam Inc. is a New Jersey corporation with the principal place of business at 3821 S. Main Road, Vineland, New Jersey 08360, which was incorporated in 1994; and

WHEREAS, Stella Lam and Huy Lam are the sole owners of STC and Lam Inc.; and

WHEREAS, Tien Tran is a former mutual friend of Stella Lam and Huy Lam and an undisclosed director, officer and manager of STC and Lam Inc.; and

WHEREAS, Respondents are subject to the provisions of the Act; and

WHEREAS, pursuant to N.J.S.A. 17:15C-10, each licensee, shall make, keep and preserve business books, accounts and other records for a period of three years; and

WHEREAS, pursuant to N.J.S.A. 17:15C-16(a), the Commissioner may suspend or revoke a licensee's license if the Commissioner finds that the licensee has made a material misstatement or suppressed or withheld information on the application for a license or any document required to be filed with the Commissioner; and

WHEREAS, pursuant to N.J.S.A. 17:15C-16(e), the Commissioner may suspend or revoke a licensee's license if the Commissioner finds that the licensee is conducting its business in an unsafe or unsound manner; and

WHEREAS, pursuant to N.J.S.A. 17:15C-16(i), the Commissioner may suspend or revoke a licensee's license if the Commissioner finds that the licensee refuses to permit the Commissioner to make any examination or investigation authorized by the Act; and

WHEREAS, pursuant to N.J.S.A. 17:15C-16(i), the Commissioner may suspend or revoke a licensee's license if the Commissioner finds that the licensee has willfully violated any provision of the Financial Crimes Enforcement Network ("FinCEN") regulations, 31 C.F.R. 1010.100 to 1060.800; and

WHEREAS, pursuant to N.J.S.A. 17:15C-22, if, after notice and hearing, the Commissioner finds that a person has violated any provision of the Act, the Commissioner may order the person to pay the Commissioner a civil penalty in an amount not to exceed \$5,000.00 for each violation; and

WHEREAS, pursuant to 31 C.F.R. 1010.100(ff)(5), the term "money services business" includes, among others, any person engaged in money transmitter business, whether or not on a regular basis or as an organized business concern; and

WHEREAS, pursuant to 31 C.F.R. 1022.380(a)(1), each money services business (whether or not licensed as a money services business by any State) must register with FinCEN; and

WHEREAS, the Commissioner issued the Amended Order to Show Cause OCF23-04 on February 14, 2023, alleging the following violations of the Act:

COUNT 1

IT APPEARING that sometime in 2008, Tien Tran solicited Stella Lam and Huy Lam to open a money transmitter business and stated that he would assist the Lams in the operation of the business; and

IT FURTHER APPEARING that in August 2008, Tien Tran completed the money transmitter license application which Huy Lam then signed on behalf of STC and Lam Inc.; and

IT FURTHER APPEARING that despite the fact that STC and Lam Inc. is a corporation, in the application form, Respondents indicated that STC and Lam Inc. was a general partnership and that Stella Lam and Huy Lam were the sole general partners; and

IT FURTHER APPEARING that in the application documents, Respondents did not disclose to the Department that Tien Tran was a director, officer and manager of the money transmitter business; and

IT FURTHER APPEARING that on July 30, 2009, the Department issued a foreign money transmitter license, Reference No. 0806694, to Stella Lam and Huy Lam; and

IT FURTHER APPEARING that after obtaining the license, Tien Tran continued to act as a director, officer and manager of STC and Lam Inc.; and

IT FURTHER APPEARING that Respondents never informed the Department that Tien Tran was in fact a director, officer and manager of the business; and

IT FURTHER APPEARING that by failing to inform the Department that Tien Tran was in fact a director, officer and manager of the business, Respondents violated N.J.S.A. 17:15C-16(a); and

COUNT 2

IT FURTHER APPEARING that despite operating a money transmitter business since July 2009, Respondents never registered with FinCEN as a money services business, as required by 31 C.F.R. 1022.380(a)(1); and

IT FURTHER APPEARING that by failing to register with FinCEN as a money services business, Respondents conducted business in an unsafe or unsound manner, in violation of N.J.S.A. 17:15C-16(e), and willfully violated FinCEN regulations, in violation of N.J.S.A. 17:15C-16(k); and

COUNT 3

IT FURTHER APPEARING that in June 2013, the Department attempted to conduct an examination of Respondents; and

IT FURTHER APPEARING that in furtherance of the examination, the Department requested that Respondents produce their business books and records for the period from January 2007 through December 2012; and

IT FURTHER APPEARING that Respondents failed to produce any requested books and records; and

IT FURTHER APPEARING that by failing to comply with the 2013 examination, Respondents violated N.J.S.A. 17:15C-16(i); and

COUNT 4

IT FURTHER APPEARING that in October 2018, the Department attempted to conduct another examination of Respondents; and

IT FURTHER APPEARING that in furtherance of the examination, the Department requested that Respondents produce their business books and records for the period from January 2013 through October 2018; and

WHEREAS, Respondents were given notice of the aforesaid allegations and an opportunity to contest them at a hearing; and

WHEREAS no Respondent filed an Answer or requested a hearing; and

WHEREAS after the issuance of the Amended Order to Show Cause, on August 22, 2023, Stella Lam, Huy Lam, and STC and Lam Inc. (the “Lam Respondents”) entered into a Consent Order, OCF23-14, with the Commissioner for their violations of the Act; and

WHEREAS, as set forth in the certification of service of Garen Gazaryan, Deputy Attorney General, attached hereto as Exhibit A, Respondent Tien Tran was given notice of the aforesaid charges and an opportunity to contest the charges at a hearing pursuant to the Amended Order to Show Cause, which was duly served upon Respondent Tien Tran by certified and regular mail to his last known mailing address, and by email to his personal email address which he used to communicate with the Department and the Office of Attorney General; and

WHEREAS Respondent Tien Tran failed to file an Answer or request a hearing; and

WHEREAS, as the primary regulator under the Act, the Commissioner is entrusted with the supervision and regulation of the money transmitter business in New Jersey; and

WHEREAS, Respondent Tien Tran’s failure to disclose himself to the Department as a director, officer and manager of STC and Lam Inc., his failure to submit to the Department’s examinations, and his failure to register with FinCEN obstructed the Commissioner’s regulatory authority to supervise Respondent Tien Tran, and showed his bad faith; and

WHEREAS, that Respondent Tien Tran failed to provide written responses to the charges contained in the Amended Order to Show Cause, and therefore he has waived its right to a hearing to contest these charges and the charges are deemed admitted; and

NOW, THEREFORE, IT IS on this 13th day of November 2023,

ORDERED, that the charges contained in Count One through Count Four of the Amended Order to Show Cause are deemed admitted by Respondent Tien Tran; and

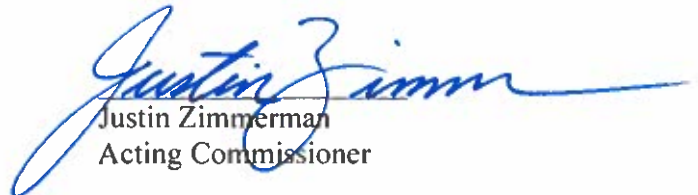
IT IS FURTHER ORDERED that Respondent Tien Tran shall pay a civil penalty of \$20,000.00 to the Commissioner for four violations of the Act, pursuant to N.J.S.A. 17:15C-22; and

IT IS FURTHER ORDERED, that Respondent Tien Tran shall send the payment in the total amount of \$20,0000.00 to the Commissioner of Banking and Insurance, State of New Jersey, P.O. Box 040, Trenton, New Jersey 08625, Attention: Paulette Sibblies-Flagg, OCF Enforcement Unit, by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," within ten days from the date of service of this Order; and

IT IS FURTHER ORDERED, that in the event full payment of the penalty and costs is not made, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties, in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and

IT IS FURTHER ORDERED, that the civil penalty in this Final Order is imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and is not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT IS FURTHER ORDERED, that the provisions of this Final Order represent a final agency decision against Respondent Tien Tran and constitute a final resolution of the allegations contained in the Amended Order to Show Cause against Respondent Tien Tran.


Justin Zimmerman
Acting Commissioner