

*** DRAFT - NOT YET FILED ***

TO BE RESCINDED

1301:8-8-06 **Advertising.**

(A) The following advertising requirements shall be observed by all check-cashing businesses:

- (1) Every advertisement shall state and clearly indicate the identity of the check-cashing business and shall do so in a manner that prevents confusion with the name of any other unrelated check-cashing business.
- (2) No check-cashing business shall advertise or transact business pursuant to sections 1315.21 to 1315.30 of the Revised Code under any other name than the name set forth on its license. All advertising must include the license number assigned by the division of financial institutions to the check-cashing business.
- (3) A check-cashing business shall not advertise by the use of unqualified superlatives, including but not limited to, "lowest fees," "lowest charges" or words of similar import.

(B) Every check-cashing business shall maintain in a location approved by the superintendent of financial institutions, a file of all newspaper, magazine, direct mailing, roadside advertising, and scripts of radio and television commercials, for a period of one year from the dates these advertisements were disseminated. Upon reasonable notice, the file shall be readily available for inspection by the division of financial institutions during regular business hours.

(C) Every advertisement placed, or caused to be placed, by a licensee shall:

- (1) Clearly identify the check-cashing business by stating the licensee's true name as printed on its license. Where a licensee has received the approval of the superintendent of the division of financial institutions to conduct business under a trade or alternative name, the registrant may use its true, trade or alternative name, or any combination of them, as they appear on the license issued by the division;
- (2) List the check-cashing business' license number; and
- (3) Specify the check-cashing business licensee's principal office address as listed on its license. Providing telephone numbers, newspaper addresses or post

office box addresses without listing the principal office address as printed on the license is prohibited.

- (D) The identifying information required by paragraph (C) of this rule shall appear in any written advertisement using a font no smaller than ten point times new roman. :
- (E) Paragraph (C) of this rule shall not apply to minimal promotional advertising done on pens, pencils, pocket calendars, balloons, coffee mugs and similar items. E-mail and internet addresses are considered minimal promotional advertising, but the content of a web page or e-mail is not. For the purpose of radio advertisements, a statement of the full business name and the number listed on the license shall be sufficient to meet the requirements of this rule.
- (F) All internet advertising shall comply with paragraph (C) of this rule by either placing the name, license number and principal office address on every viewable web page of the website within the licensee's ownership and or control, or placing the name, license number and principal office address on the home page and then having a link to the home page on each additional web page. For purposes of this rule, a web page is one that may or may not scroll beyond the borders of the screen.
- (G) Information on an internet website maintained by a licensee which becomes outdated or expired, shall be updated within thirty calendar days of the information becoming outdated or expired. Each website maintained by a licensee shall disclose the date upon which the information contained therein was most recently updated. If a licensee's website is maintained on the licensee's behalf by a third party, the licensee shall provide to the third party, a timely written notice, by mail, fax or electronic means, of any updates to outdated or expired information, so that such updates may be accomplished in accordance with this rule. A licensee who provides such timely notice shall not be in violation of this paragraph, if the third party fails to effect a requested change as notified.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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