

ORDER NO. 2019-014

IN THE MATTER OF:	§	BEFORE THE BANKING
	§	
LAVISH BANK AND TRUST,	§	
LAVISH BANK AND TRUST	§	COMMISSIONER OF TEXAS
INTERNATIONAL,	§	
CRYSTAL SHOEMAKE	§	
	§	
FORT WORTH, TEXAS	§	AUSTIN, TRAVIS COUNTY, TEXAS

ORDER TO CEASE AND DESIST ACTIVITY

On this day, the matter of Lavish Bank and Trust, Lavish Bank and Trust International, and Crystal Shoemake (collectively, Respondents) was submitted to me, Charles G. Cooper, Banking Commissioner of the State of Texas (Commissioner), for consideration and action.

Findings of Fact

1. Respondent Crystal Shoemake is the owner of Respondent entities, Lavish Bank and Trust and Lavish Bank and Trust International, purportedly located in Fort Worth, Texas.
2. Respondents are not: chartered in Texas; authorized to engage in the business of banking in Texas; or supervised by or registered with any Texas or federal financial regulatory agency.
3. Lavish Bank and Trust and Lavish Bank and Trust International are assumed names for unincorporated businesses registered with the Tarrant County Clerk.
4. On November 26, 2018, Respondent Shoemake contacted the Federal Deposit Insurance Corporation (FDIC) by email informing them that she is the owner of Respondent entities, Lavish Bank and Trust and Lavish Bank and Trust International. The email sought further information regarding necessary paperwork for her businesses.

5. On or about November 27, 2018, Respondent Shoemake had a phone conversation with Joseph Meade, Assistant Regional Director at the FDIC in which she stated that she had received approval from the State to operate a bank.
6. Investigation by the Department revealed the existence of business profile pages located on Facebook for both Respondent entities, Lavish Bank and Trust and Lavish Bank and Trust International. A LinkedIn profile for a “Crystal Lavish” that shows Respondent Shoemake as the “Owner of Lavish Bank & Trust” was also discovered.
7. Between December 4, 2018 and January 30, 2019, the Department attempted to notify Respondents that they were in violation of the Texas Finance Code by using the term “bank and trust” in the entities’ names. Following a phone call with Respondent Shoemake on January 30, 2019, the Department successfully delivered the notification letter via email.
8. Following subsequent discussions with a representative for Respondent Shoemake, the Department ultimately gave Respondents a deadline of March 8, 2019 to remove the business profile pages and the LinkedIn page noted above. As of March 18, 2019, the business profile pages on Facebook for both Respondent entities remain active, and the LinkedIn profile of Crystal Lavish still shows Respondent Shoemake as the Owner of Lavish Bank & Trust.

Conclusions of Law

1. The Commissioner is authorized by *Texas Finance Code* §35.207 to issue a cease and desist order to an entity whom the Commissioner believes is engaging or is likely to engage in an unauthorized activity.

2. The Commissioner finds by credible evidence that Respondents have violated or are likely to violate *Texas Finance Code* §31.005 by using the term “bank and trust” in the entity name to imply to the public that Respondents are engaged in the business of banking in this state.
3. The Commissioner finds this violation constitutes sufficient cause under *Texas Finance Code* §35.207 for issuance of an order to cease and desist from using the term “bank and trust” in its name and advertisements directed to customers in Texas, and implying that Respondents are conducting the business of banking in Texas.

Order

In accordance with *Texas Finance Code* §§31.005 and 35.207, Respondents are **ORDERED** to immediately cease and desist from implying that they engage in the business of banking in Texas, whether through any public communication. Respondents are further **ORDERED**, to cease and desist using the name Lavish Bank and Trust, Lavish Bank and Trust International, or any other name in violation of *Texas Finance Code* §31.005 unless and until they are authorized to act as a bank under applicable state and federal laws. Respondents are further **ORDERED**, within ten days of the effective date of this Order, to dissolve Lavish Bank and Trust and Lavish Bank and Trust International for which assumed name certificates were filed with the Tarrant County Clerk’s Office and have those filings removed or made inactive. Respondents are further **ORDERED**, within ten days of the effective date of this Order, to remove the business profile pages on Facebook pertaining to Lavish Bank and Trust and Lavish Bank and Trust International, and any other associated websites. Respondents are further **ORDERED**, within ten days of the effective date of this Order, to remove language from the LinkedIn profile for “Crystal Lavish” which implies the existence of Lavish Bank and Trust in the Dallas/Fort Worth area.

Effective Date

Pursuant to *Texas Finance Code* §35.207, this Order to Cease and Desist Activity takes effect twenty-one days after the date it is mailed.

Notice of Right to Hearing

Under *Texas Finance Code* §35.207, Respondents have the right to request a hearing on this Order. If Respondents wish to file such a request, it must be made in writing and must be submitted to the Commissioner no later than the twentieth day after the date this Order is mailed to Respondents.

Signed on this 10th day of April 2019.

/s/ Charles G. Cooper
Charles G. Cooper
Banking Commissioner of the State of Texas

Certificate of Service

On April 11, 2019, pursuant to *Texas Finance Code* §35.207, this Order to Cease and Desist

Activity was served on the following Respondents:

Via first class mail and certified mail, return receipt requested:

Crystal Shoemake
Lavish Bank and Trust
5208 Kilpatrick Avenue
Fort Worth, Texas 76107
CMRRR# 91 7199 9991 7031 6437 7789

Crystal Shoemake
Lavish Bank and Trust International
PMB 148
6731 Bridge Street
Fort Worth, Texas 76112
CMRRR# 91 7199 9991 7031 6437 7772

Crystal Shoemake
Lavish Bank and Trust
Lavish Bank and Trust International
4328 Littlejohn Avenue
Fort Worth, Texas 76105
CMRRR# 91 7199 9991 7031 6437 7765

/s/ Marcus Adams

Marcus Adams
Assistant General Counsel,
Texas Department of Banking