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BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
OF THE STATE OF CALIFORNIA

In the matter of:)	CFL LICENSE NO.: 603I782
)	
THE COMMISSIONER OF FINANCIAL)	
PROTECTION AND INNOVATION,)	
)	ACCUSATION IN SUPPORT OF
Complainant,)	REVOCAION OF CALIFORNIA
v.)	FINANCING LAW LICENSE
)	
CAPITAL ALLIANCE GROUP,)	
)	
Respondent.)	
)	

The Commissioner of Financial Protection and Innovation (Commissioner) is informed and believes, and based upon such information and belief, alleges and charges Capital Alliance Group (CAG) as follows:

I.

INTRODUCTION

1. The Commissioner has jurisdiction over the licensing and regulation of persons and entities engaged in the business of finance lending or brokering under the California Financing Law (CFL) (Fin. Code, § 22000 et seq.).
2. CAG is a California corporation with a principal address at 530 Technology Drive, Suite 100, Irvine, California, 92618.

3. CAG is licensed as a finance lender under the authority of the CFL beginning on May 31, 2011, CFL license number 603I782.

4. Narin Charanvattanakit, also known as Narin Charin (Charanvattanakit) is a 50% owner of CAG and the signatory on all licensing documents and applications filed with the Department of Financial Protection and Innovation (Department) that are relevant to this action. Mark Mendoza (Mendoza) is the other 50% owner of CAG.

5. Bankroll Capital Inc. (Bankroll) is a California corporation with a principal address at 500 Technology Drive, Irvine, California, 92618. Charanvattanakit is the CEO of Bankroll.

6. On or about October 14, 2019, Bankroll filed an application for a finance lender license with the Commissioner pursuant to California Financial Code section 22100. Charanvattanakit verified and attested to the application materials of Bankroll under penalty of perjury. The application identified Charanvattanakit as the sole officer and director of Bankroll. The application is currently pending.

7. On March 25, 2021, the Commissioner issued a Desist and Refrain Order against Bankroll and Charanvattanakit for engaging in the business of a finance lender and/or broker without having first obtained a license from the Commissioner in violation of Financial Code section 22100. To date, the Commissioner has not issued a CFL license to Bankroll.

8. On May 17, 2022, The Commissioner and CAG entered into a Consent Order (2022 Consent Order) as a result of CAG's failure to file an annual report as required by Financial Code section 22159. The Consent Order required CAG to submit a license transition through the National Multistate Licensing System ("NMLS") by filing a Company Form (MU1) and Individual Form (MU2) for each control person. In addition, CAG agreed to disclose all up-to-date information on its MU1 and MU2.

II.

UNAUTHORIZED USE OF FICTICIOUS BUSINESS NAME AND ALLOWANCE OF USE OF LICENSE NUMBER

9. On or around June 3, 2022, CAG timely transitioned its license to NMLS and disclosed the fictitious business name "Bankroll." However, Bankroll was never approved by the

1 Department as a duly registered fictitious business name or DBA, nor was Bankroll authorized to
2 operate under CAG's finance lender license number. The Department expressly informed
3 Charanvattanakit that CAG could not use Bankroll as a DBA or fictitious name unless and until
4 further information was provided and formal approval was granted. Rather than providing the
5 requested information, Charanvattanakit removed the fictitious business name from the
6 application.

7 10. Beginning in at least April 2023, Bankroll operated the website address
8 www.bankroll.io. The website listed "Capital Alliance Group DBA Bankroll" and listed the
9 California CFL License Number 6O3I782. This license number was assigned to CAG and
10 Bankroll was never authorized to use it. Instead of adhering to the CFL and the Department's
11 specific instructions, Charanvattanakit continued to use Bankroll as an unapproved DBA and CAG
12 allowed another entity to use its CFL license number on its website.

13 11. CAG engaged in the business of a finance lender using a name that was not
14 approved by the Department in violation of California Financial Code section 22157.1, California
15 Code of Regulations, title 10, section 1422, and in direct violation of the Department's
16 instructions.

17 III.

18 **FAILURE TO DISCLOSE REQUIRED INFORMATION TO THE COMMISSIONER**

19 12. On June 3, 2022, Charanvattanakit timely filed Form MU1 for CAG and thereafter
20 updated the MU1 six additional times between June 3, 2022, and the present. On June 22, 2022,
21 Charanvattanakit filed Form MU2 for himself as a control person of CAG and subsequently
22 updated the MU2 six additional times between June 22, 2022, and July 11, 2024. Each time the
23 MU1 and MU2 forms were submitted, Charanvattanakit verified and attested under penalty of
24 perjury that the information therein is true and correct.

25 13. Despite first submitting and subsequently updating the information on the MU1 and
26 MU2 a total of seven times, Charanvattanakit failed to disclose regulatory actions and pending
27 civil cases as described below. These failures to disclose are not only misstatements of material
28 fact, but also a violation of the 2022 Consent Order as CAG agreed to keep all information on

1 associated MU1 and MU2s accurate and up to date.

2 14. The MU2 asks, in relevant part,

3 (K) Has any State or federal regulatory agency or foreign financial regulatory
4 authority or self-regulatory organization (SRO) ever:

5 (2) found you to have been involved in a violation of a financial services-related
6 business regulation(s) or statute(s)?

7 (4) entered an order against you in connection with a financial services-related
8 activity?

9 (M) Based upon activities that occurred while you exercised control over an
10 organization, has any State or federal regulatory agency or foreign financial
11 regulatory authority or self-regulatory organization (SRO) ever taken any of the
12 actions listed in (K) through (L) above against any organization?"

13 15. Despite updating his MU2 and attesting to the accuracy of the information seven
14 times, Charanvattanakit failed to disclose the aforementioned Desist and Refrain Order issued to
15 Bankroll and answered "No" to question M.

16 16. The MU2 also asks, in relevant part,

17 (J)(1) Has any domestic or foreign court ever:

18 (b) found that you were involved in a violation of any financial services-related
19 statute(s) or regulation(s)?

20 (2) Is there a pending financial services-related civil action in which you are named
21 for any alleged violation described in (J)(1)?

22 (3) Based upon activities that occurred while you exercised control over an
23 organization, is there a pending financial services-related civil action in which any
24 organization is named for any alleged violation described in (J)(1)?

25 17. Charanvattanakit answered "No" to all of the above questions on the MU2.

26 18. On June 16, 2023, a complaint was filed in United States District Court Northern
27 District of Texas Fort Worth, Case Number 4:23-cv-00615-O, naming Bankroll as a Defendant.

28 The summons was served on Bankroll's registered agent. The Complaint alleged that Bankroll, in
connection with offering business funding and loans, violated the Telephone Consumer Protection
Act of 1991 ("TCPA") which makes it unlawful to make any call (other than a call made for
emergency purposes or made with the prior express consent of the called party) using an automatic
telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to
a cellular telephone service or that is charged per the call. The Complaint also alleged violation of

1 the Texas Business and Commerce Code, section 302.101 in connection with Bankroll's loan
2 offering. On June 14, 2024, the Plaintiff's motion for default judgment was granted and a final
3 judgment was entered against Bankroll.

4 19. Between June 16, 2023, and June 14, 2024, Charanvattanakit amended the MU2
5 three times and failed to answer "Yes" to question J(3) on his MU2.

6 20. On August 12, 2022, a class action complaint for violations of the TCPA was filed
7 in the United States District Court, Central District of California against Bankroll, case 8:22-CV-
8 01515 and Bankroll filed an answer to this complaint. The case was dismissed on January 10,
9 2024. However, Charanvattanakit failed to answer "Yes" to question J(3) on his MU2 between
10 June 3, 2022, and the date of dismissal on January 10, 2024, despite his original submission and
11 subsequently making other changes to his MU2 six times.

12 21. On March 20, 2024, a class action complaint for violations of the TCPA was filed
13 against Charanvattanakit in the United States District Court, District of Colorado, Case No. 1:24-
14 cv-00777-PAB-STV. Charanvattanakit was personally served on March 29, 2024. The case was
15 dismissed on October 23, 2024. However, Charanvattanakit failed to answer "Yes" to question G
16 on his MU2 between March 20, 2024, and October 23, 2024, despite submitting an amendment to
17 the MU2 on July 11, 2024.

18 22. In addition to the failure to properly disclose civil and regulatory actions, CAG
19 failed to properly disclose to the Department that Mendoza is a 50% owner of CAG. During the
20 transition to NMLS, CAG uploaded an organizational chart that showed Mendoza as a 50% owner
21 of CAG. Charanvattanakit then asked the Department to remove Mendoza as an officer. The
22 Department informed Charanvattanakit that CAG either needed to remove Mendoza from the
23 organizational chart or add a statement to the organizational chart that he is a "Passive Investor[s]"
24 and add him as a Qualifying Individual on NMLS. Charanvattanakit explained that Mendoza was
25 not involved in the day-to-day management of CAG. The Department replied to Charanvattanakit
26 with instructions on how to keep the organizational chart up to date, stating:

27 The organization chart must identify the individuals in the entity who own or
28 control, directly or indirectly, 10% or more of the outstanding interests or equity

securities of the applicant....or that the interest of individuals who directly or indirectly own or control 10% or more is solely as an economic interest without the ability to elect or direct management, or other exercise control of the applicant or the applicant's lending activities in any way.

23. Charanvattanakit also stated he was having trouble adding a Qualifying Individual on NMLS. The Department directed Charanvattanakit to the NMLS hotline. Charanvattanakit neither updated the organizational chart, nor did he add Mendoza as a Qualifying Individual.

24. CAG's failure to properly disclose the ownership of Mendoza is a violation of California Code of Regulations, title 10, section 1422 and the Department's instructions.

IV.

FAILURE TO PAY ANNUAL ASSESMENT

25. Pursuant to California Financial Code section 22107, licensees are required to pay an annual assessment no later than October 31, 2024. CAG failed to pay this assessment.

V.

APPLICABLE LAW

26. California Financial Code section 22714 provides, in pertinent part:

(a) The commissioner shall suspend or revoke any license, upon notice and reasonable opportunity to be heard, if the commissioner finds any of the following:

(1) The licensee has failed to comply with any demand, ruling, or requirement of the commissioner made pursuant to and within the authority of this division.

(2) The licensee has violated any provision of this division. or any rule or regulation made by the commissioner under and within the authority of this division.

(3) A fact or condition exists that, if it had existed at the time of the original application for the license, reasonably would have warranted the commissioner in refusing to issue the license originally.

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- 1 27. California Financial Code section 22170, subdivision (a) provides:
- 2
- 3 (a) It is unlawful for any person to knowingly make an untrue statement to
- 4 the commissioner during the course of licensing, investigation, or
- 5 examination, with the intent to impede, obstruct, or influence the
- 6 administration or enforcement of any provision of this division.
- 7
- 8 28. Section 22157.1 of the California Financial Code provides in relevant part:
- 9 A finance lender, broker, mortgage loan originator, or program
- 10 administrator licensee shall not transact the business licensed or make any
- 11 loan or administer any PACE program provided for by this division under
- 12 any other name or at any other place of business than that named in the
- 13 license except pursuant to a currently effective written order of the
- 14 commissioner authorizing the other name or other place of business.
- 15
- 16 29. California Code of Regulations, title. 10, section 1422 provides in relevant part:
- 17 Item Number 1 of Application
- 18 Fictitious Business Name:
- 19 An applicant who intends to conduct CFL business under a fictitious
- 20 business name that is different from its legal name should list the fictitious
- 21 business name here. Enter the name exactly as it appears on the Fictitious
- 22 Business Name Statement as filed with the county clerk. The fictitious
- 23 business name must be provided in addition to the legal name. Applicants
- 24 who intend to conduct business under a fictitious business name are
- 25 required to comply with the rules governing the filing of a fictitious
- 26 business name as set forth in the Business and Professions Code,
- 27 beginning at section 17900.
- 28 Item Number 5 of Application
- Other Persons:
- List the full name of any other person with direct responsibility for the
- applicant's proposed activities under the CFL license in 6.d. and any other
- person that owns or controls, directly or indirectly, 10 percent or more of
- the outstanding equity securities of the applicant in Item 6.e. This includes
- any entity owning 10 percent or more of the outstanding equity securities
- of the applicant.

1 30. Financial Code section 22107 provides in relevant part:

- 2 (a) Each finance lender, broker, or program administrator licensee shall
3 pay to the commissioner its pro rata share of all costs and expenses,
4 including the costs and expenses associated with the licensing of
5 mortgage loan originators it employs, reasonably incurred in the
6 administration of this division, as estimated by the commissioner, for
7 the ensuing year and any deficit actually incurred or anticipated in the
8 administration of the program in the year in which the assessment is
9 made. The pro rata share shall be the proportion that a licensee's gross
10 income bears to the aggregate gross income of all licensees as shown
11 by the annual financial reports to the commissioner, for the costs and
12 expenses remaining after the amount assessed pursuant to subdivision
13 (c).

14 **IV.**

15 **PRAYER**

16 31. Based on the foregoing, Capital Alliance Group has violated the CFL and its
17 regulations by:

- 18 a. Using a fictitious business name in violation of California Financial Code section
19 22157.1, California Code of Regulations Title 10, section 1422, and in direct
20 violation of the Department's instructions;
21 b. Failing to properly disclose information on the company MU2 in direct violation of
22 a Consent Order; and
23 c. Failing to properly disclose a 50% owner of CAG in violation of California Code
24 Regulations Title 10 section 1422.

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1 WHEREFORE, IT IS PRAYED under the authority of California Financial Code Section
2 22714 that Capital Alliance Group's California Financing Law license be revoked for its violations
3 of the California Financing Law and the rules promulgated thereunder.

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5 Dated: June 23, 2025

KHALIL MOHSENI
Commissioner of Financial Protection and Innovation

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7 By: _____
8 Jari Binder
9 Counsel
10 Enforcement Division
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