1

2

3

4

5

6

7

8

9

10

13

14

15

16

17

18

20

21

22

23

24

25

26

27

To:

STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
Gouda Premium Bank 355 South Grand Avenue Los Angeles, CA 90071

CEASE AND DESIST ORDER

(For violations of Financial Code sections 560 and 562)

The Commissioner of Financial Protection and Innovation (Commissioner)¹ finds that:

11 At all relevant times, Gouda Premium Bank is and was a business entity of unknown 1. 12 type, with a purported address of 355 South Grand Avenue, [sic] CA 90071.

> 2. At all relevant times. Gouda Premium Bank maintained a website at

www.goudapremium.com, an email address at info@goudapremium.com, and a phone number of 409-655-2417.

3. In November and December of 2024, Gouda Premium Bank's website offered services normally offered by banks, such as checking accounts and online banking.

4. The above-named website made the following statements to the California public as follows:

19

"At Gouda Premium Bank, we cater for the day-to-day banking requirements a. of consumers."

"Checking products are easy to operate and come with... free internet b. banking...."

"Enjoy The Convenience of Secure Internet Banking On Your Own Terms, c. Wherever And Whenever."

¹ The Department of Financial Protection and Innovation (DFPI) is responsible for enforcing provisions of the California 28 Financial Code commencing at section 550, and is authorized to pursue administrative actions and remedies against persons who violate those provisions.

21

22

1

2

3

4

5

5. In November 2024, Gouda Premium Bank made representations to a California consumer over email that they operated and maintained checking accounts.

6. Financial Code section 560 provides, "No person who has not received a certificate from the commissioner authorizing it to engage in the banking business shall solicit or receive deposits, issue certificate of deposits with or without provision for interest, make payments on checks, or transact business in the way or manner of a bank or trust company."

7. Financial Code section 562 provides, "No person who has not received a certificate from the commissioner authorizing it to engage in the banking business shall transact business under any name or title that contains the word 'bank'... or act or advertise in any manner that indicates that the business is the business of a bank...."

8. The Commissioner has not issued Gouda Premium Bank a certificate authorizing them to engage in the banking business in this State.

9. Pursuant to Financial Code section 567, "If the commissioner finds that a person has conducted, or that there is reasonable cause to believe that a person is about to conduct, business that requires a license issued by the commissioner and that person has not been issued the required license, the commissioner may, without any prior notice or hearing, order the person to cease and desist from conducting any unauthorized business unless and until the person is issued a license to engage in appropriate license business."

Based on the foregoing findings, the Commissioner is of the opinion that Gouda Premium Bank is engaged in the business of soliciting or receiving deposits, without first obtaining a certificate from the Commissioner authorizing it to engage in the banking business in this State, in violation of Financial Code section 560.

23 The Commissioner is of the further opinion that Gouda Premium Bank acted or advertised in 24 a manner that indicates that their business is the business of a bank, without first obtaining a 25 certificate from the Commissioner authorizing it to engage in the banking business in this State, in violation of Financial Code section 562. 26

27 Pursuant to Financial Code section 567, Gouda Premium Bank is hereby ordered to cease and 28 desist from engaging in the business of soliciting or receiving deposits or transact business in the

6

7

8

9

17

18

19

20

21

22

23

24

25

26

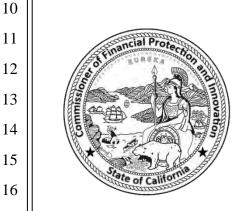
27

28

1 way or manner of a bank and/or making use of or circulating written words indicating that their
2 business is the business of a bank, and/or transacting business in a way or manner as to lead the
3 public to believe that its business is that of a bank, without first obtaining a certificate from the
4 Commissioner authorizing them to engage in the banking business in this State, or otherwise being
5 exempt.

This Order is necessary, in the public interest, for the protection of consumers and consistent with the purposes, policies and provision of the California Financial Institutions Law.

Dated: January 27, 2025 Los Angeles, California



KHALIL MOHSENI Acting Commissioner of Financial Protection and Innovation

By

MARY ANN SMITH Deputy Commissioner