

1 PRESTON DUFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Deputy Commissioner
3 Department of Corporations
320 West 4th Street, Ste. 750
4 Los Angeles, California 90013-2344
Telephone: (213) 576-7610 Fax: (213) 576-7130

5 Attorneys for Complainant

6
7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

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10 In the Matter of the Accusation of THE) Case No.: 100-3617
CALIFORNIA CORPORATIONS)
11 COMMISSIONER,) ACCUSATION
12)
Complainant,)
13)
14 vs.)
15 ALLEN & CHAZARO, INC.)
16 Respondent.)
17)
18)

19 The Complainant is informed and believes, and based upon such information and belief,
20 alleges and charges Respondent as follows:

21 I

22 Respondent Allen & Chazaro, Inc. (“Allen”) is a deferred deposit transaction originator
23 licensed by the California Corporations Commissioner (“Commissioner”) pursuant to the California
24 Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.) (“CDDTL”). Allen
25 is conducting business as a corporation with its principal place of business at 101 E. Foothill Blvd.,
26 Suite 18, Pomona, CA 91767.

27 Pursuant to California Financial Code section 23013, all CDDTL licensees are required to
28 maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Allen expired on

1 August 1, 2010. On or about July 14, 2010, the Commissioner notified Allen by certified mail,
2 return receipt requested that a replacement surety bond had to be filed immediately, but no later than
3 the expiration date to avoid suspension or revocation of its CDDTL license. The notification was
4 delivered to Allen on or about July 15, 2010.

5 Allen has not obtained a replacement surety bond in violation of California Financial Code
6 section 23013.

7 III

8 California Financial Code section 23013 provides in pertinent part:

9 A licensee shall maintain a surety bond in accordance with this subdivision in the
10 amount of twenty-five thousand dollars (\$25,000). The bond shall be payable to the
11 commissioner and issued by an insurer authorized to do business in this state. A copy
12 of the bond, including any and all riders and endorsements executed subsequent to the
13 effective date of the bond, shall be filed with the commissioner for review and
14 approval within 10 days of execution. For licensees with multiple licensed locations,
15 only one surety bond in the amount of twenty-five thousand dollars (\$25,000) is
16 required. The bond shall be used for the recovery of expenses, fines, and fees levied
17 by the commissioner in accordance with this division or for losses or damages
18 incurred by consumers as the result of a licensee's noncompliance with the
19 requirements of this division.

20 California Financial Code section 23052 provides in pertinent part:

21 The commissioner may suspend or revoke any license, upon notice
22 and reasonable opportunity to be heard, if the commissioner finds any
23 of the following:

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

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

(c) 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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The Commissioner finds that, by reason of the foregoing, Allen & Chazaro, Inc. has violated California Financial Code section 23013, and based thereon, grounds exist to revoke the deferred deposit transaction license of Allen & Chazaro, Inc.

WHEREFORE, IT IS PRAYED that the deferred deposit transaction license of Allen & Chazaro, Inc. be revoked.

Los Angeles, California
Dated: August 16, 2010

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator

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7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

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10 In the Matter of the Accusation of THE) Case No.: 100-3617
CALIFORNIA CORPORATIONS)
11 COMMISSIONER,) ORDER REVOKING CALIFORNIA
12) DEFERRED DEPOSIT TRANSACTION LAW
Complainant,) LICENSE PURSUANT TO FINANCIAL
13) CODE SECTION 23052
14 vs.)
15 ALLEN & CHAZARO, INC.)
16 Respondent.)
17)
18)

19 The California Corporations Commissioner (“Commissioner”) finds:

20
21 1. Respondent ALLEN & CHAZARO, INC. (“ALLEN”) is a deferred deposit
22 transaction originator licensed by the California Corporations Commissioner (“Commissioner”)
23 pursuant to the California Deferred Deposit Transaction Law (California Financial Code § 23000 et
24 seq.) (“CDDTL”).

25 2. Pursuant to California Financial Code section 23013, all CDDTL licensees are
26 required to maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Allen
27 expired on August 1, 2010. On or about July 14, 2010 the Commissioner notified Allen that a
28

1 replacement surety bond had to be filed immediately, but no later than the expiration date to avoid
2 suspension or revocation of its CDDTL license.

3 3. Allen has not obtained a replacement surety bond in violation of California Financial
4 Code section 23013.

5 4. Failure to maintain a surety bond is grounds under Financial Code section 23052 for
6 the revocation of a license issued under the CDDTL.

7 5. On August 16, 2010, the Commissioner issued a Notice of Intention to Issue Order
8 Revoking CDDTL License, Accusation, accompanying documents against Allen based upon the
9 above, and Allen was served with those documents by certified mail, return receipt on or about
10 August 17, 2010.

11 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that the CDDTL
12 license issued to Allen & Chazaro, Inc. is hereby revoked. This order is effective as of the date
13 hereof.

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16 Dated: September 7, 2010
17 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

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By _____
Steven C. Thompson
Special Administrator

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