

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
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4 Department of Corporations
320 West 4th Street, Ste. 750
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6 Attorneys for Complainant

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

11	In the Matter of the Accusation of THE)	Case No.: 100-2480
12	CALIFORNIA CORPORATIONS)	
13	COMMISSIONER,)	ORDER REVOKING CALIFORNIA
14	Complainant,)	DEFERRED DEPOSIT TRANSACTION LAW
15	vs.)	LICENSE PURSUANT TO FINANCIAL
16	JERRY’S LIQUOR STORE, INC.)	CODE SECTION 23052
17	Respondent.)	
18)	
19)	

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

21
22 1. Respondent Jerry’s Liquor Store, Inc. (“Jerry’s Liquor”) is a deferred deposit
23 transaction originator licensed by the California Corporations Commissioner (“Commissioner”)
24 pursuant to the California Deferred Deposit Transaction Law (California Financial Code § 23000 et
25 seq.) (“CDDTL”).

26 2. Pursuant to California Financial Code section 23013, all CDDTL licensees are
27 required to maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of
28 Jerry’s Liquor expired on June 30, 2006. On or about June 7, 2006, the Commissioner notified

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

3 3. Jerry’s Liquor has not obtained a replacement surety bond in violation of California
4 Financial 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 July 3, 2006, the Commissioner issued a Notice of Intention to Issue Order
8 Revoking CDDTL License, Accusation, accompanying documents against Jerry’s Liquor based
9 upon the above, and Jerry’s Liquor was served with those documents by certified mail, return receipt
10 requested, on July 5, 2006. The Department has received no request for a hearing from Jerry’s
11 Liquor and the time to request a hearing has expired.

12 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that the CDDTL
13 license issued to Jerry’s Liquor is hereby revoked. This order is effective as of the date hereof.

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16 Dated: July 24, 2006
17 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

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19 By _____
20 Steven C. Thompson
Special Administrator

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11 In the Matter of the Accusation of THE) File No.: 100-2480
CALIFORNIA CORPORATIONS)
12 COMMISSIONER,) ACCUSATION
13)
Complainant,)
14)
15 vs.)
16 JERRY’S LIQUOR STORE, INC.)
17 Respondent.)
18)
19)

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

22 I

23 Respondent Jerry’s Liquor Store, Inc. (“Jerry’s Liquor ”) is a deferred deposit transaction
24 originator licensed by the California Corporations Commissioner (“Commissioner”) pursuant to the
25 California Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.)
26 (“CDDTL”). Jerry’s Liquor is licensed as a corporation that has its principal place of business
27 located at 124 East Rosecrans, Compton, CA 90222.

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II

Pursuant to California Financial Code section 23013, all CDDTL licensees are required to maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Jerry’s Liquor expired on June 30, 2006. On or about June 7, 2006, the Commissioner notified Jerry’s Liquor that a replacement surety bond had to be filed immediately, but no later than the expiration date to avoid suspension or revocation of its CDDTL license.

Jerry’s Liquor has yet to obtain a replacement surety bond in violation of California Financial Code section 23013.

III

California Financial Code section 23013 provides in pertinent part:

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

California Financial Code section 23052 provides in pertinent part:

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

(a) 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.

(b) 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.

(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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IV

The Commissioner finds that, by reason of the foregoing, Jerry’s Liquor has violated California Financial Code section 23013, and based thereon, grounds exist to revoke the deferred deposit transaction license of Jerry’s Liquor.

WHEREFORE, IT IS PRAYED that the deferred deposit transaction license of Jerry’s Liquor be revoked.

Dated: July 3, 2006
Los Angeles, California

Preston DuFauchard
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator