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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: Geneva Roth Ventures, Inc.
Geneva-Roth Capital, Inc.
Loan Point USA
6950 W. 56th Street
Mission, KS 66202

Mark Curry
4900 W 146th St.
Leawood, KS 66224-3769

DESIST AND REFRAIN ORDER
(For violations of California Financial Code section 23005)

The California Corporations Commissioner finds that:

1. The California Corporations Commissioner (“Commissioner”) is informed and believes and based upon such information and belief alleges that Geneva Roth Ventures, Inc., Geneva-Roth Capital, Inc., and Loan Point USA (“Geneva Roth”) were at all relevant times operating a payday lending business under the name “Loan Point USA” and “Geneva Roth” at the website www.loanpointusa.com.
2. Mark Curry (“Curry”) was at all times relevant the agent, owner and/or officer of Geneva Roth.
3. Since at least February 2009, Geneva Roth has engaged in the business of deferred deposit transactions by accepting deferred deposit withdrawal agreements from California customers and issuing short term loans to these customers.
4. Geneva Roth advertised deferred deposit transactions online and then emailed agreements to customers, including some in California.
5. Geneva Roth entered into agreements with customers that allowed Geneva Roth to withdraw loan fees and repayment of the loan(s) from customers’ bank accounts. Geneva Roth withdrew these amounts from customers’ bank accounts on the customers’ nearest payday after

1 the initial loan, much like depositing a personal check after a customer’s payday in a non-
2 electronic transaction.

3 6. The activities engaged in by Geneva Roth require a license under the California
4 Deferred Deposit Transaction Law (“CDDTL”) (California Financial Code §§ 23000 et seq.).

5 7. Geneva Roth has not obtained a license to engage in originating and making
6 deferred deposit transactions under the CDDTL.

7 8. Geneva Roth is not exempt from the licensing requirements of the CDDTL.

8 By reason of the foregoing, Geneva Roth has engaged in the business of deferred deposit
9 transactions without having first obtained a license from the Commissioner in violation of
10 California Financial Code section 23005.

11 California Financial Code section 23050 provides in pertinent part:

12 Whenever, in the opinion of the commissioner, any person is engaged in the
13 business of deferred deposit transactions, as defined in this division, without
14 a license from the commissioner . . . the commissioner may order that person
15 or licensee to desist and to refrain from engaging in the business . . . If, within
30 days, after the order is served, a written request for a hearing is filed and no
hearing is held within 30 days thereafter, the order is rescinded.

16 Pursuant to California Financial Code section 23050, Geneva Roth Ventures, Inc.,
17 Geneva-Roth Capital, Inc., Mark Curry, and Loan Point USA are hereby ordered to desist and
18 refrain from engaging in the business of deferred deposit transactions in the State of California
19 without first obtaining a license from the Commissioner, or otherwise being exempt. This Order
20 is necessary for the protection of consumers and is consistent with the purposes, policies and
21 provisions of the CDDTL. This order shall remain in full force and effect until further order of
22 the Commissioner.

23 Dated: August 31, 2009
24 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

25
26 By _____
27 ALAN S. WEINGER
28 Deputy Commissioner