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

TO: HARASH BALA JAIN
DBA RIVERSIDE CHECK CASH ‘N’ LOANS
8151 Arlington Avenue, Suite Q
Riverside, CA 92503

AMENDED
CITATIONS
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code sections 23050 and 23058)
ORDER VOIDING DEFERRED DEPOSIT TRANSACTIONS
(Pursuant to California Financial Code section 23060)

The California Corporations Commissioner finds that:

1. Harash Bala Jain dba Riverside Check Cash ‘N’ Loans, hereinafter “Licensee” is, and was at all relevant times herein, an individual with his principal place of business located at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

2. On or about December 31, 2004, Licensee obtained a license from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

3. An examination of Licensee conducted by the Commissioner on January 14, 2008 disclosed the following violations at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

Citation A. Licensee failed to conduct deferred deposit business under name authorized in license in violation of Financial Code section 23023.

Citation B. Licensee charged six customers application fees totaling \$70 on seven deferred deposit transactions totaling \$1,100 in violation of Financial Code section 23036 (f).

Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to the Commissioner an administrative penalty in the total amount of \$1,000 for the following Citations within 30 days from the date of these Citations.

1 Citation A. \$500

2 Citation B. \$500

3

4 Pursuant to California Financial Code section 23050, Licensee is hereby ordered to desist
5 and refrain from engaging in the business of deferred deposit transactions in the State of
6 California in violation of the above referenced sections.

7 These Citations and Desist and Refrain Order are necessary, in the public
8 interest, for the protection of consumers and is consistent with the purposes, policies and
9 provisions of the California Deferred Deposit Transaction Law. These Citations and Desist and
10 Refrain Order shall remain in full force and effect until further order of the Commissioner.

11 These Citations and Desist and Refrain Order are separate from any further action that may
12 include other administrative, civil or criminal remedies that the Commissioner may take based upon
13 the violations of law cited herein or otherwise.

14

15 California Financial Code section 23058 provides, in relevant part:

16 (a) If, upon inspection, examination or investigation, based upon a
17 complaint or otherwise, the department has cause to believe that a person
18 is engaged in the business of deferred deposit transactions without a license,
19 . . . the department may issue a citation to that person in writing, describing
20 with particularity the basis of the citation. Each citation may contain . . . an
assessment of an administrative penalty not to exceed two thousand five hundred
dollars (\$2,500)

21

22 (c) If within 30 days from the receipt of the citation of the person cited fails
23 to notify the department that the person intends to request a hearing as
described in subdivision (d), the citation shall be deemed final.

24

25 (d) Any hearing held under this section shall be conducted in accordance with
Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
of the Government Code

26

27 California Financial Code section 23050 provides:

28

Whenever, in the opinion of the commissioner, any person is engaged in the
business of deferred deposit transactions, as defined in this division, without
a license from the commissioner, or any licensee is violating any provision

1 of this division, the commissioner may order that person or licensee to desist
2 and to refrain from engaging in the business or further violating this division.
3 If, within 30 days, after the order is served, a written request for a hearing is
4 filed and no hearing is held within 30 days thereafter, the order is rescinded.

5 **ORDER VOIDING DEFERRED DEPOSIT TRANSACTIONS**

6 Licensee willfully violated California Financial Code section 23036 (f) by charging six
7 customers application fees totaling \$70 on seven deferred deposit transactions totaling \$1,100 in
8 violation of Financial Code section 23036 (f). California Financial Code section 23600 states:

9 (a) If any amount other than, or in excess of, the charges or fees permitted by
10 this division is willfully charged, contracted for, or received, a deferred deposit
11 transaction contract shall be void, and no person shall have any right to collect or
12 receive the principal amount provided in the deferred deposit transaction, any
13 charges, or fees in connection with the transaction.

14 (b) If any provision of this division is willfully violated in the making or collection of
15 a deferred deposit transaction, the deferred deposit transaction contract shall be void,
16 and no person shall have any right to collect or receive any amount provided in the
17 deferred deposit transaction, any charges, or fees in connection with the transaction.

18 Pursuant to Financial Code section 23060, subdivision (b), all seven of the above described
19 deferred deposit transactions totaling at least \$1,100 and application fees totaling at least \$70 shall
20 be declared void, and no person shall have any right to collect or receive any amount provided in the
21 deferred deposit transaction or any charges or fees in connection with these consumer transactions
22 and is hereby ordered to immediately return any amount and all charges and fees received for these
23 transactions.

24 The request for a hearing may be made by delivering or mailing a written request to:

25 Steven C. Thompson
26 Special Administrator
27 California Deferred Deposit Transaction Law
28 Department of Corporations
320 West 4th Street, Ste. 750
Los Angeles, California 90013-2344
(213) 576-7610

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Dated: July 1, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator
California Deferred Deposit Transaction Law

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BUSINESS, TRANSPORTATION AND HOUSING AGENCY
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The California Corporations Commissioner finds that:

1. Harash Bala Jain dba Riverside Check Cash ‘N’ Loans, hereinafter “Licensee” is, and was at all relevant times herein, an individual with his principal place of business located at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

2. On or about December 31, 2004, Licensee obtained a license from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

3. An examination of Licensee conducted by the Commissioner on January 14, 2008 disclosed the following violations at 8151 Arlington Avenue, Suite Q, Riverside, CA 92503.

Citation A. Licensee failed to conduct deferred deposit business under name authorized in license in violation of Financial Code section 23023.

Citation B. Notice required to be posted in conspicuous view of the public in letters not less than ½ inch in height did not contain disclosure that licensee cannot use the criminal process against a consumer to collect any deferred deposit transaction in violation of Financial Code section 23035 (d) (1). Licensee was informed of this violation during the previous regulatory examination conducted on April 19, 2006.

1 Citation C. Notice required to be posted in conspicuous view of the public in letters not less
2 than ½ inch in height did not contain schedule of all charges and fees to be charged on deferred
3 deposit transactions with an example of the fees and charges that would be charged on at least a
4 \$100 and \$200 deferred deposit transaction, payable in 30 days with the corresponding Annual
5 Percentage Rate in violation of 23035 (d) (2). Licensee was informed of this violation during the
6 previous regulatory examination conducted on April 19, 2006.

7 Citation D. Licensee charged six customers application fees totaling \$70 on seven deferred
8 deposit transactions totaling \$1,100 in violation of Financial Code section 23036 (f).

9 Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to the
10 Commissioner an administrative penalty in the total amount of \$10,000 for the following Citations
11 within 30 days from the date of these Citations.

12 Citation A.	\$2,500
13 Citation B.	\$2,500
14 Citation C.	\$2,500
15 Citation D.	\$2,500

16 Pursuant to California Financial Code section 23050, Licensee is hereby ordered
17 to desist and refrain from engaging in the business of deferred deposit transactions in the State of
18 California in violation of the above referenced sections.

19 These Citations and Desist and Refrain Order are necessary, in the public
20 interest, for the protection of consumers and is consistent with the purposes, policies and
21 provisions of the California Deferred Deposit Transaction Law. These Citations and Desist and
22 Refrain Order shall remain in full force and effect until further order of the Commissioner.

23 These Citations and Desist and Refrain Order are separate from any further action that may
24 include other administrative, civil or criminal remedies that the Commissioner may take based upon
25 the violations of law cited herein or otherwise.

26
27 California Financial Code section 23058 provides, in relevant part:

- 28 (a) If, upon inspection, examination or investigation, based upon a complaint or otherwise, the department has cause to believe that a person

1 is engaged in the business of deferred deposit transactions without a license,
2 . . . the department may issue a citation to that person in writing, describing
3 with particularity the basis of the citation. Each citation may contain . . . an
4 assessment of an administrative penalty not to exceed two thousand five hundred
5 dollars (\$2,500)

6 (c) If within 30 days from the receipt of the citation of the person cited fails
7 to notify the department that the person intends to request a hearing as
8 described in subdivision (d), the citation shall be deemed final.

9 (d) Any hearing held under this section shall be conducted in accordance with
10 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
11 of the Government Code

12 California Financial Code section 23050 provides:

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

20 **ORDER VOIDING DEFERRED DEPOSIT TRANSACTIONS**

21 Licensee willfully violated California Financial Code section 23036 (f) by charging six
22 customers application fees totaling \$70 on seven deferred deposit transactions totaling \$1,100 in
23 violation of Financial Code section 23036 (f). California Financial Code section 23600 states:

24 (a) If any amount other than, or in excess of, the charges or fees permitted by
25 this division is willfully charged, contracted for, or received, a deferred deposit
26 transaction contract shall be void, and no person shall have any right to collect or
27 receive the principal amount provided in the deferred deposit transaction, any
28 charges, or fees in connection with the transaction.

(b) If any provision of this division is willfully violated in the making or collection of
a deferred deposit transaction, the deferred deposit transaction contract shall be void,
and no person shall have any right to collect or receive any amount provided in the
deferred deposit transaction, any charges, or fees in connection with the transaction.

Pursuant to Financial Code section 23060, subdivision (b), all seven of the above described
deferred deposit transactions totaling at least \$1,100 and application fees totaling at least \$70 shall
be declared void, and no person shall have any right to collect or receive any amount provided in the

1 deferred deposit transaction or any charges or fees in connection with these consumer transactions
2 and is hereby ordered to immediately return any amount and all charges and fees received for these
3 transactions.

4 The request for a hearing may be made by delivering or mailing a written request to:

5 Steven C. Thompson
6 Special Administrator
7 California Deferred Deposit Transaction Law
8 Department of Corporations
9 320 West 4th Street, Ste. 750
10 Los Angeles, California 90013-2344
11 (213) 576-7610

12 Dated: June 5, 2008
13 Los Angeles, CA

14 PRESTON DUFAUCHARD
15 California Corporations Commissioner

16 By _____
17 Steven C. Thompson
18 Special Administrator
19 California Deferred Deposit Transaction Law
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