

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

TO: PAYDAY ADVANCE PLUS, INC.
11965 Venice Blvd. Suite #401
Los Angeles, CA 90066

ALVIN C. RICE
11965 Venice Blvd. Suite #401
Los Angeles, CA 90066

ALAN LAZOWICK
11965 Venice Blvd. Suite #401
Los Angeles, CA 90066

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

The California Corporations Commissioner finds that:

1. PAYDAY ADVANCE PLUS, INC. (“Payday”) is, and was at all relevant times herein, a Utah corporation, with its principal place of business located at 11965 Venice Blvd. Suite #401, Los Angeles, CA 90066.
2. ALVIN C. RICE (“Rice”) is, and was at all relevant times herein, the President of Payday.
3. ALAN LAZOWICK (“Lazowick”) is, and was at all relevant times herein, a Director and Webmaster of Payday.
4. Payday, Rice, and Lazowick have engaged in the business of deferred deposit transactions by originating deferred deposit transactions as described below.
5. At all times relevant herein, Payday had a website located at www.payday-advance-plus.com wherein Payday represents to the public that it originates deferred deposit transactions through an online or telephone application. Payday only originates deferred deposit transactions for citizens in select states, including California.

1 6. A deferred deposit transaction means a written transaction whereby one person
2 give funds to another person upon receipt of a personal check and it is agreed that the personal
3 check shall not be deposited until a later date.

4 7. Payday, Rice, and Lazowick have not been issued a license by the Commissioner
5 authorizing them to engage in the business of deferred deposit transactions under the California
6 Deferred Deposit Transaction Law (“CDDTL”) (California Financial Code §§ 23000 et seq.).

7 8. Payday, Rice, and Lazowick are not exempt from the licensing requirements of
8 California Financial Code § 23005.

9 By reason of the foregoing, Payday, Rice, and Lazowick have engaged in the business of
10 deferred deposit transactions without having first obtained a license from the Commissioner in
11 violation of California Financial Code § 23005.

12 Pursuant to California Financial Code § 23050, PAYDAY ADVANCE PLUS, INC.,
13 ALVIN C. RICE, and ALAN LAZOWICK are hereby ordered to desist and refrain from
14 engaging in the business of deferred deposit transactions in the State of California without first
15 obtaining a license from the Commissioner, or otherwise being exempt. This Order is necessary,
16 in the public interest, for the protection of consumers and is consistent with the purposes, policies
17 and provisions of the California Deferred Deposit Transaction Law. This order shall remain in
18 full force and effect until further order of the California Corporations Commissioner.

19 California Financial Code section 23050 provides in pertinent part:

20 Whenever, in the opinion of the commissioner, any person is engaged in
21 business in the business of deferred deposit transactions, as defined in this
22 division, without a license from the commissioner . . . the commissioner
23 may order that person or licensee to desist and to refrain from engaging in
24 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.

25 Dated: October 29, 2007
26 Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

27 By _____
28 ALAN S. WEINGER
Lead Corporations Counsel
Enforcement Division