

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Deputy Commissioner
3 Department of Corporations
4 320 West 4th Street, Ste. 750
Los Angeles, California 90013-1105
5 Attorneys for Complainant

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

9 In the Matter of the Accusation of) File No. 603-9549
10 THE CALIFORNIA CORPORATIONS) 607-2848 603-G485
11 COMMISSIONER,)
12 Complainant,)
13 vs.) NOTICE OF INTENTION
14 AMERICAN MORTGAGE SPECIALISTS,) TO ISSUE ORDER
15 INC. ,) REVOKING CALIFORNIA
16 Respondent.) FINANCE LENDERS LICENSE
17)

18 Pursuant to section 22714 of the California Finance Lenders Law (California Financial
19 Code), notice is hereby given of the intention of the California Corporations Commissioner to
20 enter his Order pursuant to section 22714 of the California Finance Lenders Law to revoke
21 Respondent's finance lenders license.

22 The attached Accusation, which is incorporated by this reference, states the reasons for
23 the intended Order.

24 Unless a request for hearing, as evidenced by the mailing or delivery of the Notice of
25 Defense, is received within 15 days after the Accusation was personally served upon you or
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1 mailed to you, such Order may be entered at any time thereafter without a hearing.

2
3 DATED: May 26, 2010
4 Los Angeles, California

5 PRESTON DuFAUCHARD
6 California Corporations Commissioner

7 By _____
8 PATRICIA R. SPEIGHT
9 Special Administrator
10 California Finance Lenders Act
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10 THE CALIFORNIA CORPORATIONS) 607-2848 603-G485
11 COMMISSIONER,)
12 Complainant,)
13 vs.) ACCUSATION
14 AMERICAN MORTGAGE SPECIALISTS,)
15 INC. ,)
16 Respondent.)
17

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

20 I

21 Respondent is a finance lender and/or broker licensed by the California Corporations
22 Commissioner ("Commissioner") pursuant to the California Finance Lenders Law (California
23 Financial Code § 22000 et seq.) ("CFL"). Respondent has its principal place of business located
24 at:

25 16100 N. GREENWAY HAYDEN LOOP, SUITE 108
26 SCOTTSDALE, AZ 85260
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II

Pursuant to California Financial Code section 22112, all CFL licensees are required to maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of respondent expired on May 20, 2010. On or about April 23, 2010 the Commissioner notified respondent that a replacement surety bond had to be filed immediately, but no later than the expiration date to avoid suspension or revocation of its CFL license.

Respondent has yet to obtain a replacement surety bond in violation of California Financial Code section 22112.

III

California Financial Code section 22112 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 losses or for damages incurred by consumers as the result of a licensee's noncompliance with the requirements of this division.

California Financial Code section 22714 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.

1 IV

2 The Commissioner finds that, by reason of the foregoing, Respondent has violated
3 California Financial Code section 22112, and based thereon, grounds exist to revoke the
4 California Finance Lender license of Respondent.

5 WHEREFORE, IT IS PRAYED that the California finance lender license of Respondent
6 be revoked.

7 DATED: May 26, 2010
8 Los Angeles, California

9 PRESTON DuFAUCHARD
10 California Corporations Commissioner

11
12 By _____
13 PATRICIA R. SPEIGHT
14 Special Administrator
15 California Finance Lenders Act
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10 OF THE STATE OF CALIFORNIA

11 In the Matter of the Accusation of) File No. 603-9549
12 The California Corporations)
13 Commissioner,)
14 Complainant,)
15 vs.) ORDER REVOKING
16 AMERICAN MORTGAGE) CALIFORNIA FINANCE
17 SPECIALISTS, INC.) LENDERS LICENSE
18 Respondent.)
19)

20 The California Corporations Commissioner finds that:

21
22 1. Respondent is a California finance lender licensed by the California
23 Corporations Commissioner ("Commissioner") pursuant to the California
24 Finance Lenders Law (California Financial Code § 22000 et seq.)("CFL").

25 2. Pursuant to California Financial Code section 22112, all CFL
26 licensees are required to maintain a surety bond in the minimum amount of
27 \$25,000.00. The surety bond of respondent expired on May 20, 2010. On or
28 about April 23, 2010, the Commissioner notified Respondent that a

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

3 3. Respondent has not obtained a replacement surety bond in violation
4 of California Financial Code section 22112.

5 4. Failure to maintain a surety bond is grounds under Financial Code
6 section 22714 for the revocation of a license issued under the CFL.

7 5. On May 26, 2010, the Commissioner issued a Notice of Intention to
8 Issue Order Revoking CFL license, Accusation, and accompanying
9 documents against Respondent based upon the above; and respondent was
10 served with those documents by certified mail, return receipt requested. The
11 Department has received no request for a hearing has expired.
12

13 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby
14 ordered that the CFL license issued to Respondent is hereby revoked. This
15 order is effective as of the date hereof.

16 DATED: June 21, 2010
17 Los Angeles, California

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19 PRESTON DuFAUCHARD
20 California Corporations Commissioner

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22 By _____
23 PATRICIA R. SPEIGHT
24 Special Administrator
25 California Finance Lenders Law
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