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9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

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12 In the Matter of:)	CDDTL License No.: 100-4121
)	
13 THE COMMISSIONER OF BUSINESS)	ACCUSATION IN SUPPORT OF ORDER
14 OVERSIGHT,)	REVOKING CALIFORNIA DEFERRED
)	DEPOSIT TRANSACTION LAW LICENSE
15 Complainant,)	PURSUANT TO FINANCIAL CODE
)	SECTION 23052
16 v.)	
)	
17 ABKO 247, INC., DBA CASH PLUS #208,)	
)	
18 Respondent.)	
)	
19)	
20)	

21 The Complainant is informed and believes and based on such information and belief, finds as
22 follows:

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I.

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FACTUAL BACKGROUND

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1. ABKO 247, Inc., DBA Cash Plus #208 (“ABKO”) is a deferred deposit transaction originator licensed by Complainant, the Commissioner of Business Oversight (“Commissioner”) on or around March 11, 2011 pursuant to the California Deferred Deposit Transaction Law (Fin. Code § 23000 et seq.) (“CDDTL”).

1 2. ABKO is a California corporation formed on July 7, 2008, with a principal place of
2 business located at 11230 Garvey Ave., Suite C, El Monte, California 91733.

3 3. Rani Kourieh is the Chief Executive Officer of ABKO.

4 4. On or around July 28, 2015, the Commissioner commenced a regulatory examination
5 of ABKO pursuant to Financial Code section 23046.

6 5. During the regulatory examination, the Commissioner requested and ABKO submitted
7 four quarterly balance sheets, which were dated as of: March 31, 2015; December 31, 2014;
8 September 30, 2014; and June 30, 2014. ABKO's quarterly balance sheets were not prepared
9 according to Generally Accepted Accounting Principles ("GAAP") for a corporation, in violation of
10 Code of Regulations, title 10, section 2026.

11 6. On or around December 7, 2015, the Commissioner directed ABKO to submit revised
12 quarterly balance sheets prepared according to GAAP.

13 7. On or around April 11, 2016, ABKO submitted revised quarterly balance sheets that
14 were still not prepared according to GAAP in that total assets did not equal total liabilities plus
15 equity. Moreover, ABKO's stated total liabilities exceeded total assets, indicating that ABKO may
16 not meet the \$25,000.00 minimum net worth requirement set forth in Financial Code section 23007.

17 8. On or around April 15, 2016, the Commissioner notified ABKO in writing that its
18 revised quarterly balance sheets were still not prepared according to GAAP and directed ABKO to
19 respond within ten days, or by no later than April 25, 2016. ABKO did not respond by the deadline.
20 The Commissioner repeated her written demand on May 3, 2016, and May 11, 2016.

21 9. To date, ABKO has failed to prepare quarterly balance sheets according to GAAP, in
22 violation of Code of Regulations, title 10, section 2026; failed keep and use books, accounts, and
23 records that will enable the Commissioner to determine if ABKO is complying with the provisions of
24 the CDDTL, in violation of Financial Code section 23024; and failed to provide such books and
25 records to the Commissioner within ten days after a written demand, in violation of Financial Code
26 section 23048, subdivision (b).

27 10. On July 21, 2016, the Commissioner issued to ABKO a Desist and Refrain Order
28 pursuant to Financial Code section 23050 ordering ABKO to desist and refrain from violating

1 Financial Code sections 23024 and 23048, and Code of Regulations, title 10, section 2026. On July
2 28, 2016, the Commissioner served the Desist and Refrain Order upon ABKO via certified mail,
3 return receipt requested, at its business address on file.

4 11. On July 21, 2016, the Commissioner issued to ABKO citations pursuant to Financial
5 Code section 23058 (“Citation”) ordering ABKO to pay the Commissioner an administrative penalty
6 of \$2,500.00 for each of the citations A, B, and C, for a total amount of \$7,500.00 within 30 days
7 from the date of the Citation as follows:

8 CITATION A – ABKO 247, Inc., DBA Cash Plus #208 failed to maintain
9 books, accounts and records in accordance with generally accepted accounting
10 principles and good practices while engaging in the business of deferred
11 deposit transactions during the periods covered by the four quarterly balance
12 sheets, which were dated as of: March 31, 2015; December 31, 2014;
13 September 30, 2014; and June 30, 2014, in violation of Code of Regulations,
14 title 10, section 2026.

15 CITATION B – ABKO 247, Inc., DBA Cash Plus #208 failed to keep and use
16 books, accounts, and records that will enable the Commissioner to determine
17 if the licensee is complying with the provisions of this division, including, but
18 not limited to, the minimum net worth requirement set forth in Financial Code
19 section 23007, in violation of Financial Code section 23024.

20 CITATION C – ABKO 247, Inc., DBA Cash Plus #208 failed to make
21 available all books, records, and supporting data used by the licensee in the
22 preparation of reports to the Commissioner for examination within ten days
23 after a written demand, in violation of Financial Code section 23048,
24 subdivision (b).

25 12. On July 28, 2016, the Commissioner served the Citation upon ABKO via certified
26 mail, return receipt requested, at its business address on file.

27 13. ABKO did not request a hearing to contest either the Desist and Refrain Order or the
28 Citation, and the time to request any hearing(s) has lapsed.

14. ABKO has violated the Desist and Refrain Order by failing to prepare and submit the
demanded quarterly balance sheets according to GAAP, in continuing violation of Code of
Regulations, title 10, section 2026, Financial Code section 23024, and Financial Code section 23048,
subdivision (b).

15. ABKO has violated the Citation by failing to pay \$2,500.00 for each of the citations

1 A, B, and C, for a total amount of \$7,500.00 within 30 days from the date of the Citation.

2 **II.**

3 **REVOCATION STATUTE**

4 16. Financial Code section 23052 provides, in relevant part:

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

8 (a) The licensee has failed to comply with any demand, ruling, or
9 requirement of the commissioner made pursuant to and within the
10 authority of this division.

11 (b) The licensee has violated any provision of this division or any rule or
12 regulation made by the commissioner under and within the authority of
13 this division

14 **III.**

15 **CONCLUSION**

16 The Commissioner finds by reason of the foregoing that ABKO 247, Inc., DBA Cash Plus
17 #208 violated the following provisions of the CDDTL: Code of Regulations, title 10, section 2026;
18 Financial Code section 23024; Financial Code section 23048, subdivision (b); the Desist and Refrain
19 Order issued on July 21, 2016; and the Citation issued on July 21, 2016. Pursuant to Financial Code
20 section 23052, each of the aforementioned violations of the CDDTL is grounds for the Commissioner
21 to revoke the CDDTL license of ABKO 247, Inc., DBA Cash Plus #208.

22 WHEREFORE, the Commissioner prays that the California deferred deposit transaction law
23 license issued to ABKO 247, Inc., DBA Cash Plus #208 be revoked.

24 Dated: September 12, 2016
25 Los Angeles, California

26 JAN LYNN OWEN
27 Commissioner of Business Oversight

28 By: _____
Sophia C. Kim
Senior Counsel
Enforcement Division