

1 MARY ANN SMITH
Deputy Commissioner
2 DOUGLAS M. GOODING
Assistant Chief Counsel
3 JOANNE ROSS (State Bar No. 202338)
Senior Counsel
4 Department of Business Oversight
1515 K Street, Ste. 200
5 Sacramento, California 95814
Telephone: (916) 324-9687
6 Facsimile: (916) 455-6985
7 Attorneys for Complainant

8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA
11

12 In the Matter of:) CFL FILE NO. 605-1881
13)
14 THE COMMISSIONER OF BUSINESS) ORDER CONDITIONALLY GRANTING
OVERSIGHT,) PETITION FOR REINSTATEMENT
15) (Government Code Section 11522)
16 Complainant,)
17 v.)
18 AMERICAN CAPITAL STRATEGIES, LTD.,)
19 Respondent.)
20)

21 TO: KAMALA D. HARRIS
22 ATTORNEY GENERAL, STATE OF CALIFORNIA
Department of Justice
23 P.O. Box 944255
Sacramento, California 94244-2550

24 AMERICAN CAPITAL STRATEGIES, LTD.
25 2 Bethesda Metro Center, 14th Floor
26 Bethesda, Maryland 20814

27 Petitioner, American Capital Strategies, Ltd. (“Petitioner”), filed a Petition for Reinstatement
28 of License (“Petition”) of its California Finance Lender Law License pursuant to Government Code

1 section 11522, which was revoked by the Commissioner of Business Oversight (“Commissioner”) on
2 May 1, 2009. The Petition along with further submissions having been considered, and good cause
3 appearing,

4 IT IS ORDERED that, subject to the Commissioner’s satisfactory review, the Petition for
5 Reinstatement is granted provided that within forty-five (45) days of the date hereof, Petitioner does
6 the following:

- 7 1. Stipulate to entry of a Desist and Refrain Order for engaging in the business of a finance
8 lender or broker without obtaining a license from the Commissioner in violation of section 22100 of
9 the California Finance Lender Law (“CFLL”) (Fin. Code §22000 et seq.);
- 10 2. Provide to the Commissioner satisfactory evidence that Petitioner has reduced any accrued
11 amounts owed to it that are in any way attributable to all non-exempt usurious amounts charged to
12 California borrowers in excess of the ten percent (10%) interest rate allowed under article 15, section
13 1 of the California Constitution while Petitioner did not have a CFLL license, then in effect;
- 14 3. Pay penalties in the amount of two thousand five hundred dollars (\$2,500.00) for each of
15 twenty (20) loans made while unlicensed under the CFLL, in the total amount of fifty thousand
16 dollars (\$50,000.00);
- 17 4. Pay a penalty of two thousand five hundred dollars (\$2,500.00) for failing to timely file the
18 annual report for the year ended December 31, 2008, in violation of Financial Code section 22159;
19 and
- 20 5. Pay a penalty of five hundred dollars (\$500.00) for failing to notify the Commissioner that it
21 changed its licensed business location, in violation of Financial Code section 22153.

22 The total penalties of fifty-three thousand dollars (\$53,000.00) shall be made payable to the
23 Department of Business Oversight and sent via traceable method, for receipt within forty-five (45)
24 days of the date of this Order, to the attention of:

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1 Joanne Ross
2 Senior Counsel
3 Department of Business Oversight
4 1515 K Street, Suite 200
5 Sacramento, CA 95814

5 Dated: March 24, 2016
6 Sacramento, California

JAN LYNN OWEN
Commissioner of Business Oversight

7 By _____
8 Mary Ann Smith
9 Deputy Commissioner
10 Enforcement Division
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