

STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT

TO: Bartor Express, Inc.
19200 Von Karman Avenue, Suite 600
Irvine, California 92612

DESIST AND REFRAIN ORDER
(For violations of section 22100 of the Financial Code)

The Commissioner of Business Oversight (“Commissioner”) finds that:

1. Bartor Express, Inc. (“Bartor Express”) is a California corporation incorporated on or around September 11, 2014, with a principal place of business located at 19200 Von Karman Avenue, Suite 600, Irvine, California 92612.

2. At all relevant times, Bartor Express operated at least two websites: www.bartorexpress.com, displaying the telephone number 1-800-540-0723, and www.prestamosconosineltitulodeauto.com, displaying the telephone number 1-866-490-8623.

3. At all relevant times, Esteban Barrios-Vega (“Barrios-Vega”) is the president of Bartor Express with a principal place of business at 19200 Von Karman Avenue, Suite 600, Irvine, California 92612.

4. Bartor Express has never been licensed by the Commissioner to engage in the business of a finance lender and/or broker.

5. From in or around August 2013 through at least July 2016, Bartor Express engaged in the business of a finance lender and/or broker as described in further detail below.

6. In or around July 2016, Bartor Express advertised consumer loans on its website, www.bartorexpress.com, making various claims, such as the following:

We guarantee effective and comprehensive service during your loan process . . . We pride ourselves in helping people and business to accomplish their financial goals or are in a hurry, we can fund as soon as 24 hours or earlier most cases . . .

We accept all kind of vehicles and all kind of business . . .

1 Car Title Loan in California and Business Loans in all the 50 States . . .

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3 7. In or around July 2016, Bartor Express also advertised consumer loans on its website,
4 www.prestamosconosineltitulodeauto.com, which claimed to offer loans from 1% interest, based on
5 the value of the borrower's car or truck. Bartor Express also claimed to offer business loans from
6 \$10,000.00 to \$500,000.00 within 24 hours, based on the value of the borrower's home.

7 8. In or around July 2016, at least one California resident ("Consumer") contacted Bartor
8 Express by calling 1-800-540-0723, the number listed on www.bartorexpress.com. An individual
9 claiming to be an employee of a licensed California finance company ("FC1"), whose identity and/or
10 affiliation with Bartor Express was not disclosed on www.bartorexpress.com, answered the call. The
11 individual claiming to be an employee of FC1 ("FC1 employee") claimed he is not an employee of
12 Bartor Express. FC1 obtained the Consumer's name, phone number, and vehicle information,
13 including model, type, year, mileage, and whether or not the Consumer had title. FC1 also requested
14 the Consumer's FICO score, stating that it would run a credit check to determine the Consumer's
15 monthly rate. FC1 offered the Consumer a \$3,000.00 to \$4,000.00 loan.

16 9. From July 2016 through August 2016, FC1 emailed the Consumer soliciting more
17 information, including the Consumer's date of birth, social security number or individual taxpayer
18 identification number, current address and number of years in that address, monthly mortgage
19 payment or rent, profession or duties if self-employed, monthly income before taxes, length of time
20 in the stated profession, vehicle identification or license plate number, driver's license number, name
21 of the Consumer's insurance company, policy number, employer's name, monthly income before
22 taxes, employer's phone number and address, position at the Consumer's job, and supervisor's name.
23 The FC1 employee stated that as soon as he received this information he "will be able to create the
24 credit package and send it to you to start your loan process," referencing the contact number listed on
25 www.bartorexpress.com: 1-800-540-0723. The FC1 employee stated telephonically that he could
26 give the Consumer a \$3,600.00 loan, depending on the condition of Consumer's vehicle, but the
27 lowest interest rate would be 3%, not 1%.

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1 10. From August 2016 through September 2016, the Consumer received at least three
2 unsolicited telephonic offers for auto title loans from employees and/or representatives of another
3 licensed California finance company (“FC2”). Even though the Consumer had never contacted or
4 submitted any loan application to FC2, the three employees and/or representatives of FC2 referenced
5 the Consumer’s name, telephone number, and detailed vehicle information that the Consumer had
6 shared with FC1 in July 2016 after calling the phone number listed on www.bartorexpress.com.

7 11. From March 2014 through December 2014, Bartor Express received an estimated
8 \$66,776.66 in non-employee compensation from FC2 for making approximately 152 referrals of
9 California consumers, pursuant to an agreement for a minimum compensation of \$400.00, or 10% of
10 the amount financed by FC2, with a maximum compensation of \$800.00 per funded loan.

11 12. From August 2013 through November 2014, Bartor Express received an estimated
12 \$5,800.00 in compensation, described as a “marketing fee,” from another licensed California finance
13 company (“FC3”) for making approximately 14 referrals of California consumers.

14 13. Bartor Express is and was not licensed by the Commissioner to engage in the business
15 of a finance lender and/or broker, and it is not exempt from the licensure requirement.

16 14. The Department of Business Oversight, through the Commissioner, is vested with the
17 authority to license and regulate finance lenders and brokers in the State of California pursuant to the
18 CFLL.

19 15. Financial Code section 22100, subdivision (a) states, “No person shall engage in the
20 business of a finance lender or broker without obtaining a license from the commissioner.”

21 16. Financial Code section 22712, subdivision (a), provides in relevant part:
22 Whenever, in the opinion of the commissioner, any person is engaged in
23 the business as a broker or finance lender, or a mortgage loan originator,
24 as defined in this division, without a license from the commissioner, or
25 any licensee is violating any provision of this division, the commissioner
26 may order that person or licensee to desist and to refrain from engaging in
27 the business or further violating this division. If, within 30 days after the
28 order is served, a written request for a hearing is filed and no hearing is
 held within 30 days thereafter, the order is rescinded

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Based on the foregoing, the Commissioner of Business Oversight is of the opinion that Bartor Express, Inc. engaged in the business as a broker or finance lender without obtaining a license from the Commissioner, in violation of Financial Code section 22100. Pursuant to Financial Code section 22712, Bartor Express, Inc., and any and all officers, directors, employees, independent contractors, or agents operating on behalf of Bartor Express, Inc., and their successors or assigns are hereby ordered to desist and refrain from engaging in the business as a broker and/or finance lender without a license from the Commissioner, in violation of Financial Code section 22100.

This Order is necessary, in the public interest, for the protection of investors and consistent with the purposes, policies, and provisions of the California Finance Lenders Law.

Dated: December 16, 2016
Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division