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

TO CHECK ADVANCE OF SAN DIEGO, LLC
481 Broadway, Suite E
Chula Vista, CA 91910

AMENDED
CITATION
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code sections 23050 and 23058)

The California Corporations Commissioner finds that:

1. Check Advance of San Diego, LLC hereinafter (“Licensee”) is, and was at all relevant times herein a limited liability company authorized to conduct business in California with its principal place of business located at 481 Broadway, Suite E, Chula Vista, CA 91910 (“Location 1”). Licensee has additional licensed business locations at 6485 El Cajon Blvd., San Diego, CA 912115 (“Location 2) and 242 W. Mission #A, Escondido, CA 92025 (“Location 3”).

2. On or about December 31, 2004, Licensee obtained licenses from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at Locations 1, 2 and 3.

3. An examination of Licensee conducted by the Commissioner on January 4, 2008 disclosed the following violations at Locations 1, 2 and 3.

Citation A- Locations 1, 2 and 3. Licensee failed to include proper disclosure in its yellow page advertising that the company is licensed by the Department of Corporations pursuant to the California Deferred Deposit Transaction Law. Licensee was informed of this violation during the previous regulatory examination conducted on September 26, 2006.

Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to the Commissioner an administrative penalty for Locations 1, 2 and 3 in the total amount \$2,500 for the following Citation within 30 days from the date of this Citation.

1 Citation A. \$2,500

2 Pursuant to California Financial Code section 23050, Licensee is hereby ordered to desist
3 and refrain from engaging in the business of deferred deposit transactions in the State of
4 California in violation of the above referenced section.

5 This Citation and Desist and Refrain Order is necessary, in the public
6 interest, for the protection of consumers and is consistent with the purposes, policies and
7 provisions of the California Deferred Deposit Transaction Law. This Citation and Desist and
8 Refrain Order shall remain in full force and effect until further order of the Commissioner.

9 This Citation is separate from any further action that may include other administrative,
10 civil or criminal remedies that the Commissioner may take based upon the violations of law cited
11 herein or otherwise.

12 California Financial Code section 23058 provides, in relevant part:

13 (a) If, upon inspection, examination or investigation, based upon a
14 complaint or otherwise, the department has cause to believe that a person
15 is engaged in the business of deferred deposit transactions without a license,
16 . . . the department may issue a citation to that person in writing, describing
17 with particularity the basis of the citation. Each citation may contain . . . an
18 assessment of an administrative penalty not to exceed two thousand five hundred
19 dollars (\$2,500)

20 . . .

21 (c) If within 30 days from the receipt of the citation of the person cited fails
22 to notify the department that the person intends to request a hearing as
23 described in subdivision (d), the citation shall be deemed final.

24 (d) Any hearing held under this section shall be conducted in accordance with
25 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
26 of the Government Code

27 California Financial Code section 23050 provides:

28 Whenever, in the opinion of the commissioner, any person is engaged in the
business of deferred deposit transactions, as defined in this division, without
a license from the commissioner, or any licensee is violating any provision
of this division, the commissioner may order that person or licensee to desist
and to refrain from engaging in the business or further violating this division.
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.

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The request for a hearing may be made by delivering or mailing a written request to:

Steven Thompson
Special Administrator
California Deferred Deposit Transaction Law
Department of Corporations
320 West 4th Street, Ste. 750
Los Angeles, California 90013-2344
(213) 576-7610

Dated: July 9, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
STEVEN C. THOMPSON
Special Administrator
California Deferred Deposit Transaction Law

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

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CITATIONS
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Citation B. Location 1. Licensee failed to maintain evidence of check for deferred deposit transactions in violation of California Code of Regulations section 2025 (c) (1).

Citation C. Location 2. Licensee failed to maintain evidence of check for deferred deposit transactions in violation of California Code of Regulations section 2025 (c) (1).

1 Citation D. Location 3. Licensee failed to maintain evidence of check for deferred deposit
2 transactions in violation of California Code of Regulations section 2025 (c) (1).

3 Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to
4 the Commissioner an administrative penalty for Locations 1, 2 and 3 in the total amount \$10,000
5 for the following Citations within 30 days from the date of these Citations.

6
7 Citation A. \$2,500

8 Citation B. \$2,500

9 Citation C. \$2,500

10 Citation D. \$2,500

11 Pursuant to California Financial Code section 23050, Licensee is hereby ordered to desist
12 and refrain from engaging in the business of deferred deposit transactions in the State of
13 California in violation of the above referenced sections.

14 These Citations and Desist and Refrain Order are necessary, in the public
15 interest, for the protection of consumers and is consistent with the purposes, policies and
16 provisions of the California Deferred Deposit Transaction Law. These Citations and Desist and
17 Refrain Order shall remain in full force and effect until further order of the Commissioner.

18 These Citations are separate from any further action that may include other
19 administrative, civil or criminal remedies that the Commissioner may take based upon the
20 violations of law cited herein or otherwise.

21 California Financial Code section 23058 provides, in relevant part:

22 (a) If, upon inspection, examination or investigation, based upon a
23 complaint or otherwise, the department has cause to believe that a person
24 is engaged in the business of deferred deposit transactions without a license,
25 . . . the department may issue a citation to that person in writing, describing
26 with particularity the basis of the citation. Each citation may contain . . . an
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(d) Any hearing held under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code

California Financial Code section 23050 provides:

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

The request for a hearing may be made by delivering or mailing a written request to:

Steven Thompson
Special Administrator
California Deferred Deposit Transaction Law
Department of Corporations
320 West 4th Street, Ste. 750
Los Angeles, California 90013-2344
(213) 576-7610

Dated: May 14, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
STEVEN C. THOMPSON
Special Administrator
California Deferred Deposit Transaction Law