

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 WAYNE STRUMPFER
Deputy Commissioner
3 ALAN S. WEINGER (CA BAR NO. 86717)
Supervising Attorney
4 Department of Corporations
320 West 4th Street, Ste. 750
5 Los Angeles, California 90013-2344

6 Attorneys for Complainant

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

10 In the Matter of the Accusation of THE)
11 CALIFORNIA CORPORATIONS)
12 COMMISSIONER,) File No.: 605-1539
13 Complainant,) ORDER DISMISSING NOTICE OF
14 vs.) INTENTION TO ISSUE ORDER REVOKING
15 Barbara Jean Garibaldi (Garibaldi Mortgage,) CALIFORNIA FINANCE LENDERS
16 DBA)) LICENSE
17 ----- Respondent.)

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19 GOOD CAUSE APPEARING, the Notice of Intention to Issue Order Revoking California
20 Finance Lenders License issued against Barbara Jean Garibaldi (Garibaldi Mortgage, DBA) on
21 3/6/08 is hereby dismissed.

22
23 Dated: May 13, 2008
Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

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27 By
PATRICIA R. SPEIGHT
Special Administrator
California Finance Lenders Law
28

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California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Deputy Commissioner
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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. 605-1539
10 THE CALIFORNIA CORPORATIONS)
11 COMMISSIONER,)
12 Complainant,)
13 vs.) NOTICE OF INTENTION
14 GARIBALDI MORTGAGE (BARBARA JEAN) TO ISSUE ORDER
15 GARIBALDI, DBA),) 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.

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3 DATED: May 26, 2010
Los Angeles, California

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5 PRESTON DuFAUCHARD
California Corporations Commissioner

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7 By _____
8 PATRICIA R. SPEIGHT
Special Administrator
9 California Finance Lenders Act

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9 In the Matter of the Accusation of) File No. 605-1539
10 THE CALIFORNIA CORPORATIONS)
11 COMMISSIONER,)
12 Complainant,)
13 vs.) ACCUSATION
14 GARIBALDI MORTGAGE (BARBARA JEAN)
15 GARIBALDI, DBA),)
16 Respondent.)
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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 20001 SOUTH HIGHWAY 1, P. O. BOX 127
26 MANCHESTER, CA 95459
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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 23, 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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11 In the Matter of the Accusation of) File No. 605-1539
12 The California Corporations)
13 Commissioner,)
14)
15 Complainant,)
16 vs.) ORDER REVOKING
17) CALIFORNIA FINANCE
18) LENDERS LICENSE
19 GARIBALDI MORTGAGE (BARBARA)
20 JEAN GARIBALDI, DBA)
21)
22 Respondent.)
23)

24 The California Corporations Commissioner finds that:

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

28 2. 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 23, 2010. On or
about April 23, 2010, the Commissioner notified Respondent that a

