

1 PRESTON DUFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
3 Department of Corporations
320 West 4th Street, Ste. 750
4 Los Angeles, California 90013-2344
Telephone: (213) 576-7610 Fax: (213) 576-7130
5 Attorneys for Complainant

6
7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA
9

10 In the Matter of the Accusation of THE) Case No.: 100-4303
CALIFORNIA CORPORATIONS)
11 COMMISSIONER,) ACCUSATION
12)
Complainant,)
13)
14 vs.)
15 KAIKU MONEY CALIFORNIA, LLC)
16 Respondent.)
17)
18)

19 The Complainant is informed and believes, and based upon such information and belief,
20 alleges and charges Respondent as follows:

21 I

22 Respondent Kaiku Money California, LLC (“Kaiku”) is a deferred deposit transaction
23 originator licensed by the California Corporations Commissioner (“Commissioner”) pursuant to the
24 California Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.)
25 (“CDDTL”). Kaiku is a limited liability company authorized to conduct business in this state with
26 its principal place of business at 660 Hampshire Road, Suite 218, Westlake Village, CA 91361.

27 Pursuant to California Financial Code section 23013, all CDDTL licensees are required to
28 maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Kaiku expired on

1 December 3, 2011. On or about October 28, 2011, the Commissioner notified Kaiku by certified
2 mail, return receipt requested that a replacement surety bond had to be filed immediately, but no
3 later than the expiration date to avoid suspension or revocation of its CDDTL license. The
4 notification was delivered to Kaiku on or about November 1, 2011.

5 Kaiku has not obtained a replacement surety bond in violation of California Financial Code
6 section 23013.

7 III

8 California Financial Code section 23013 provides in pertinent part:

9 A licensee shall maintain a surety bond in accordance with this subdivision in the
10 amount of twenty-five thousand dollars (\$25,000). The bond shall be payable to the
11 commissioner and issued by an insurer authorized to do business in this state. A copy
12 of the bond, including any and all riders and endorsements executed subsequent to the
13 effective date of the bond, shall be filed with the commissioner for review and
14 approval within 10 days of execution. For licensees with multiple licensed locations,
15 only one surety bond in the amount of twenty-five thousand dollars (\$25,000) is
16 required. The bond shall be used for the recovery of expenses, fines, and fees levied
17 by the commissioner in accordance with this division or for losses or damages
18 incurred by consumers as the result of a licensee's noncompliance with the
19 requirements of this division.

20 California Financial Code section 23052 provides in pertinent part:

21 The commissioner may suspend or revoke any license, upon notice
22 and reasonable opportunity to be heard, if the commissioner finds any
23 of the following:

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

27 (b) The licensee has violated any provision of this division or any rule or
28 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.

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The Commissioner finds that, by reason of the foregoing Kaiku Money California, LLC has violated California Financial Code section 23013, and based thereon, grounds exist to revoke the deferred deposit transaction license of Kaiku Money California, LLC.

WHEREFORE, IT IS PRAYED that the deferred deposit transaction license of Kaiku Money California, LLC be revoked.

Los Angeles, California
Dated: December 6, 2011

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator

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California Corporations Commissioner
2 ALAN S. WEINGER
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3 Department of Corporations
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7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA
9

10 In the Matter of the Accusation of THE) Case No.: 100-4303
CALIFORNIA CORPORATIONS)
11 COMMISSIONER,) ORDER REVOKING CALIFORNIA
12) DEFERRED DEPOSIT TRANSACTION LAW
Complainant,) LICENSE PURSUANT TO FINANCIAL
13) CODE SECTION 23052
14 vs.)
15 KAIKU MONEY CALIFORNIA, LLC)
16 Respondent.)
17)
18)

19 The California Corporations Commissioner (“Commissioner”) finds:
20

21 1. Respondent Kaiku Money California, LLC (“Kaiku”) is a deferred deposit transaction
22 originator licensed by the California Corporations Commissioner (“Commissioner”) pursuant to the
23 California Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.)
24 (“CDDTL”).

25 2. Pursuant to California Financial Code section 23013, all CDDTL licensees are
26 required to maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Kaiku
27 expired on December 3, 2011. On or about October 28, 2011, the Commissioner notified Kaiku that
28 a replacement surety bond had to be filed immediately, but no later than the expiration date to avoid

1 suspension or revocation of its CDDTL license. The notification was delivered to Kaiku on or about
2 November 1, 2011.

3 3. Kaiku has not obtained a replacement surety bond in violation of California Financial
4 Code section 23013.

5 4. Failure to maintain a surety bond is grounds under Financial Code section 23052 for
6 the revocation of a license issued under the CDDTL.

7 5. On December 6, 2011, the Commissioner issued a Notice of Intention to Issue Order
8 Revoking CDDTL License, Accusation and accompanying documents against Kaiku based upon the
9 above. Kaiku was served with those documents by certified mail, return receipt requested at the last
10 known address in the Department’s files. The documents were returned by the Post Office.

11 NOW GOOD CAUSE APPEARING THEREFORE, it is hereby ordered that the CDDTL
12 license issued to Kaiku Money California, LLC is hereby revoked. This order is effective as of the
13 date hereof.

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Dated: December 23, 2011
Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator
(213) 576-7610