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

TO: DEENA MADGE LOWRY
DBA CHECK AHEAD
479-400 Wada Street
Susanville, CA 96130

CITATIONS
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code section 23058)

The California Corporations Commissioner finds that:

1. Deena Madge Lowry dba Check Ahead, hereinafter (“Licensee”) is, and was at all relevant times herein an individual with a mobile unit with its principal place of business located at 479-440 Wada Street, Susanville, CA 96130.

2. On or about December 31, 2004, Licensee obtained a license for a mobile unit from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at 479-440 Wada Street, Susanville, CA 96130.

3. An examination of Licensee conducted by the Commissioner on December 28, 2007 disclosed the following violations:

Citation A. Licensee failed to disclose correct Annual Percentage Rates (APRs) in Agreements for deferred deposit transactions in violation of Financial Code section 23035 (e) (1).

Citation A. \$1,500

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

This Citation and Desist and Refrain Order are necessary, in the public interest, for the protection of consumers and is consistent with the purposes, policies and provisions of the California Deferred Deposit Transaction Law. This Citation and Desist and

1 Refrain Order shall remain in full force and effect until further order of the Commissioner.

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

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

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

11 . . .

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

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

15 California Financial Code section 23050 provides:

16 Whenever, in the opinion of the commissioner, any person is engaged in the
17 business of deferred deposit transactions, as defined in this division, without
18 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
19 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
20 filed and no hearing is held within 30 days thereafter, the order is rescinded.

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

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

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Dated: May 12, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

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