

BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
OF THE STATE OF CALIFORNIA

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4	In the Matter of THE COMMISSIONER OF	)	File No.: 603-D787 & 603-J384
5	CORPORATIONS OF THE STATE OF	)	
6	CALIFORNIA,	)	STIPULATED DESIST AND
7		)	REFRAIN ORDER
8	Complainant,	)	
9		)	
10	vs.	)	
11		)	
12	NETWORK CAPITAL FUNDING	)	
13	CORPORATION and TRI MINH NGUYEN,	)	
14		)	
15	Respondents.	)	

Pursuant to the Settlement Agreement entered into between Network Capital Funding Corporation (“Network Capital”), a licensed finance lender and broker under the California Finance Lender Law, California Finance Code section 22000 et seq.(“CFLL”), Tri Minh Nguyen (“Nguyen”), the sole shareholder and president of Network Capital and a license mortgage loan originator under the CFLL, and the Commissioner of Business Oversight formerly known as the California Corporations Commissioner (“Commissioner”) on August 27, 2013, and without any admissions or denials on the part of Network Capital or Nguyen as to the allegations contained in the February 26, 2013 administrative accusation, relating to mortgage loan origination activity from August 1, 2010 through May 15, 2011,

IT IS HEREBY ORDERED THAT Network Capital and Nguyen and any and all officers, directors, employees, independent contractors, or agents operating on behalf of Network Capital and/or Nguyen and their successors or assigns immediately desist and refrain from:

1. Conducting or aiding and abetting unlicensed mortgage loan origination activity in California in violation of California Financial Code section 22100, subsections (b) and (d).
2. Maintaining books and records or otherwise making representations to the Department of Business Oversight, that do not accurately reflect what individual(s) acted as mortgage loan originator(s) in all residential mortgage loans in violation of California Financial

1 Code section 22170, subsections (a) and (b).

2 3. Failing to maintain books and records that would enable the Department of Business  
3 Oversight to determine if Network Capital is complying with the provisions of the California  
4 Finance Lenders Law and all rules and regulations issued thereunder as required by California  
5 Financial Code section 22156, including email communications with borrowers.

6 This Order is necessary, in the public interest, for the protection of consumers and is  
7 consistent with the purposes, policies and provisions of the California Finance Lenders Law. This  
8 Order shall remain in full force and effect until further order of the Commissioner.

9 Dated: August 27, 2013  
10 Los Angeles, CA

JAN LYNN OWEN  
Commissioner of Business Oversight

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By \_\_\_\_\_  
Mary Ann Smith  
Deputy Commissioner  
Enforcement Division