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

TO: P & D CHECKS FOR CASH, INC.
DBA CHECKS FOR CASH
9755 F ARROW ROUTE
RANCHO CUCAMONGA, CA 91730

CITATIONS
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code section 23050 and 23058)

The California Corporations Commissioner finds that:

1. P & D Checks For Cash, Inc. dba Checks For Cash hereinafter “Licensee” is, and was at all relevant times herein, a corporation authorized to conduct business in this state. Licensee has its principal place of business located at 9755 F Arrow Route, Rancho Cucamonga, CA 91730.

2. On or about December 14, 2005, Licensee obtained a license from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at 9755 F Arrow Route, Rancho Cucamonga, CA 91730.

3. An examination of Licensee conducted by the Commissioner on October 14, 2008 disclosed the following violations of the California Deferred Deposit Transaction Law.

Citation A. Licensee failed to distribute the notice with all required disclosures to all customers prior to entering into every deferred deposit deposit transaction as required by California Financial Code section 23035(c). Two of the four required disclosures were included on the application, though the application was not distributed to the customers for every deferred deposit transaction. This violation was disclosed to the licensee during the previous regulatory examination conducted on January 25, 2007.

Citation B. The written Agreement failed to contain the following required disclosures:

1. Licensee cannot make a deferred deposit transaction contingent on the purchase of

1 another product or service in violation of Financial Code section 23035 (e) (11). This
2 violation was disclosed to the licensee during the previous regulatory examination
3 conducted on September 5, 2006.

4 2. The customer cannot prosecuted or threatened with prosecution in order to collect
5 a deferred deposit transaction in violation of Financial Code section 23035 (e) (9).

6 3. Licensee cannot accept collateral in connection with the deferred deposit
7 transaction in violation of Financial Code section 23035 (e) (10).

8 These violations were disclosed to the licensee during the previous regulatory examination
9 conducted on January 25, 2007.

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

13 Citation A. \$2,500

14 Citation B. \$2,500

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

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

22 These Citations and Desist and Refrain Order are separate from any further action that may
23 include other administrative, civil or criminal remedies that the Commissioner may take based upon
24 the violations of law cited herein or otherwise.

25

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

27 (a) If, upon inspection, examination or investigation, based upon a
28 complaint or otherwise, the department has cause to believe that a person
is engaged in the business of deferred deposit transactions without a license,
. . . the department may issue a citation to that person in writing, describing

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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)

(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.

(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: June 16, 2009
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator
California Deferred Deposit Transaction Law