	A A DAZ A NINI GA (1771)		
1	MARY ANN SMITH Deputy Commissioner		
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5	Department of Business Oversight		
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8	Attorneys for Complainant		
9	BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT		
10	OF THE STATE OF CALIFORNIA		
11			
12 13	In the Matter of:	CFL LICENSE NO.: 603L362	
13 14	THE COMMISSIONER OF BUSINESS)OVERSIGHT,)	CITATION PURSUANT TO FINANCIAL CODE SECTION 22707.5	
15	Complainant,		
16	v.)		
17)		
18	PIRS CAPITAL, LLC,		
19	Respondent.		
20			
21	Jan Lynn Owen, the Commissioner of Business Oversight (Commissioner), finds the		
22 23	following:		
23 24	I.		
24	FACTUAL BACKGROUND		
26	1. Pirs Capital, LLC, is a company with a principal place of business at 40 Exchange		
27	 Place, Suite 403, New York, NY 10005. 2. Pirs Capital, LLC, is licensed as a finance lender under the California Finance 		
28			
Lenders Law (CFLL) with license number 603L362 (Respondent).		52 (Respondent).	
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	CITATION PURSUANT TO FINANCIAL CODE SECTION 22707.5		

3. In accordance with Financial Code section 22159, CFLL licensees must file an annual report with the Commissioner by March 15th of each year (Annual Report).

4. On March 6, 2017, the Commissioner notified CFLL licensees of the March 15th deadline to file their annual reports by sending notice to the email address each CFLL licensee established pursuant to the Commissioner's Order on Electronic Communications dated November 22, 2013 (Electronic Communications Order).

5. As of March 22, 2017, Respondent had not filed its Annual Report with the Commissioner. As a result, the Commissioner issued a notice letter to Respondent on March 22, 2017, advising Respondent that it should file its annual report by before April 11, 2017 or else its license would be summarily revoked pursuant to Financial Code section 22715 (Notice Letter).

6. As of April 11, 2017, Respondent had not filed its Annual Report with the Commissioner. As a result, on April 19, 2017, the Commissioner issued an order pursuant to Financial Code section 22715 summarily revoking the CFLL license of Respondent (Revocation Order).

7. In addition, Respondent had failed to check, on a daily basis, the email address it established pursuant to Electronic Communications Order.

8. On June 26, 2017, Respondent updated its designated business email address required under the Electronic Communications Order.

9. On June 26, 2017, Respondent submitted its Annual Report, which was due on March 15, 2017.

10. In reliance upon these facts, on June 27, 2017, the Commissioner issued an order rescinding the earlier Revocation Order, which had been issued on April 19, 2017.

23 Consequently, as of June 27, 2017, Respondent's licensure under the CFLL was restored.

11. In connection with these proceedings, Respondent represented to the Commissioner that it had not conducted activity under its license following issuance of the Revocation Orders.

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II.

CITATION

Financial Code section 22707.5, subdivision (a), provides in relevant part:

(a) If, upon inspection, examination, or investigation, the commissioner has cause to believe that a licensee or other person is violating any provision of this division or any rule or order thereunder, the commissioner or his or her designee, may issue a citation to the licensee or person in writing, describing with particularity the basis of the citation \ldots . In addition, each citation may assess an administrative fine not to exceed two thousand five hundred dollars (\$2,500) \ldots .

Based on the foregoing, Respondent failed to file an annual report with the Commissioner by

March 15, 2017 in violation of Financial Code section 22159. The Commissioner hereby assesses

Respondent an administrative fine of \$2,500.00 pursuant to Financial Code section 22707.5,

|| subdivision (a). Respondent is hereby ordered to pay the Commissioner an administrative fine of

\$2,500.00 for the above citation within 30 days from the date of this citation.

Based on the foregoing, Respondent failed to maintain its books, accounts and records in accordance with good business practice in violation of section 1426 of Title 10 of the California Code of Regulations. The Commissioner hereby assesses Respondent an administrative fine of \$2,500.00 pursuant to Financial Code section 22707.5, subdivision (a). Respondent is hereby ordered to pay the Commissioner an administrative fine of \$2,500.00 for the above citation within 30 days from the date of this citation.

Respondent must pay these fines with a cashier's check made payable to the Department of Business Oversight for the amount of \$5,000.00 and shall submit that check to the following address within thirty (30) days from the date of this citation: ATTN: Accounting - Litigation, Department of Business Oversight, 1515 K Street, Suite 200, Sacramento, California 95814. Notice of the payment shall be sent to: Kelly Suk, Counsel, Department of Business Oversight, 320 West 4th Street, Suite 750, Los Angeles, California 90013.

Dated: June 27, 2017 Sacramento, California JAN LYNN OWEN Commissioner of Business Oversight

By:

MARY ANN SMITH **Deputy Commissioner Enforcement Division**

CITATION PURSUANT TO FINANCIAL CODE SECTION 22707.5

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