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

<b>TO: PRO CHECK CASHING</b> 2413 S. Fairview Street, Ste. 1 Santa Ana, California 92704	<b>YOGESH HIRALAL</b> 2413 S. Fairview Street, Ste. 1 Santa Ana, California 92704
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**DESIST AND REFRAIN ORDER**  
**(For violations of California Financial Code section 23005 & 23046)**

The California Corporations Commissioner finds that:

1. Pro Check Cashing (“Pro Check”) is, and was at all relevant times herein, a California corporation, with its principal place of business located at 2413 S. Fairview Street, Suite 1, Santa Ana, California 92704. Pro Check has three further branches located at 707 N. Bristol Street, Suite F, Santa Ana, California 92703, 616 N. Anaheim Boulevard, Suite C, Anaheim, California 92805, and 1440 S. Anaheim Boulevard, Suite A17, Anaheim, California 92805.
2. Yogesh Hiralal (“Hiralal”) is, and was at all times relevant herein, the president of Pro Check.
3. Pro Check and Hiralal have engaged in the business of deferred deposit transactions by originating deferred deposit transactions as described below.
4. An examination of Pro Check conducted by the Commissioner in May 2005 disclosed that Pro Check and Hiralal had originated at least 35 deferred deposit transactions. The examination further disclosed that Pro Check and Hiralal had been engaged in originating deferred deposit transactions since at least January 1, 2005 through at least May 9, 2005.
5. A deferred deposit transaction is a written transaction whereby one person gives funds to another person upon receipt of a personal check and it is agreed that the personal check shall not be deposited until a later date.
6. Neither Pro Check nor Hiralal has been issued a license by the Commissioner authorizing it to engage in the business of deferred deposit transactions under the California

1 Deferred Deposit Transaction Law (“CDDTL”) (California Financial Code §§ 23000 et seq.).

2 7. Neither Pro Check nor Hiralal is exempt from the licensing requirements of  
3 California Financial Code section 23005.

4 8. Pro Check and Hiralal were specifically aware that a CDDTL license was required  
5 in order to engage in the business of deferred deposit transactions as Pro Check had been in  
6 contact with the Department of Corporations in early February 2005 and been informed that a  
7 CDDTL license from the Department of Corporations was necessary to continue engaging in the  
8 business of deferred deposit transactions after January 1, 2005.

9 9. During the May 2005 examination, the Commissioner, through his examination  
10 staff, made a demand on Pro Check to provide the deferred deposit transaction files for review.  
11 Pro Check refused to provide the files for review as demanded in violation of California  
12 Financial Code section 23046. Pursuant to California Financial Code section 23046, the  
13 Commissioner has free access to the books and records of persons engaging or alleged to be  
14 engaging in the business of deferred deposit transactions.

15 By reason of the foregoing, Pro Check and Hiralal have not only engaged in the business  
16 of deferred deposit transactions without having first obtained a license from the Commissioner in  
17 violation of California Financial Code section 23005, but also violated California Financial Code  
18 section 23046 by refusing to grant the Commissioner access to its books and records.

19 Pursuant to California Financial Code section 23050, Pro Check and Hiralal are hereby  
20 ordered to desist and refrain from engaging in the business of deferred deposit transactions in the  
21 State of California without first obtaining a license from the Commissioner, or otherwise being  
22 exempt.

23 Pro Check and Hiralal are further ordered to desist and refrain from violating California  
24 Financial Code section 23046.

25 This Order is necessary, in the public interest, for the protection of consumers and is  
26 consistent with the purposes, policies and provisions of the California Deferred Deposit  
27 Transaction Law. This order shall remain in full force and effect until further order of the  
28 Commissioner.

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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.

Dated: June 2, 2005  
Los Angeles, CA

WAYNE STRUMPFER  
Acting Corporations Commissioner

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