

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

TO: SUNITA RANCCHODLAL PATEL
KAUSHIK MANILAL PATEL
ALTA DENA EXPRESS
11302 E. Washington Boulevard
Whittier, California 90606

DESIST AND REFRAIN ORDER
(For violations of California Financial Code section 23005)

The California Corporations Commissioner finds that:

1. Alta Dena Express (“Alta Dena”) is, and was at all relevant times herein, a general partnership. Sunita Rancchodlal Patel (“S. Patel”) and Kaushik Manilal Patel (K. Patel”) are, and at all times relevant were, the general partners of Alta Dena. Alta Dena has a principal address of 11302 E. Washington Boulevard, Whittier, California and a further location at 10411 South Prairie Avenue, Inglewood, California 90303.
2. Alta Dena has engaged in the business of deferred deposit transactions by originating deferred deposit transactions as described below.
3. An examination of Alta Dena conducted by the Commissioner in June 2005 disclosed that Alta Dena had originated at least 41 deferred deposit transactions at its Whittier location. The examination further disclosed that Alta Dena had been engaged in originating deferred deposit transactions since at least January 1, 2005 through at least June 23, 2005.
4. 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.
5. Neither S. Patel, K. Patel nor Alta Dena has been issued a license by the Commissioner authorizing any of them to engage in the business of deferred deposit transactions under the California Deferred Deposit Transaction Law (“CDDTL”) (California Financial Code §§ 23000 et seq.).

1 6. Neither S. Patel, K. Patel nor Alta Dena is exempt from the licensing requirements
2 of California Financial Code section 23005.

3 7. Alta Dena was specifically aware that a CDDTL license was required in order to
4 engage in the business of deferred deposit transactions as Alta Dena had received a written notice
5 to this effect from the Commissioner on or about February 8, 2005. Moreover, Alta Dena had
6 applied for two CDDTL licenses from the Commissioner on March 10, 2005. On March 30,
7 2005, the Commissioner sent a deficiency letter to Alta Dena. Both the February 8 and March
8 30, 2005 letters specifically informed Alta Dena that Alta Dena could not engage in the business
9 of deferred deposit transactions unless and until Alta Dena obtained a CDDTL license(s) from
10 the Commissioner. Further, Alta Dena represented to the Commissioner in a letter sent in with
11 its application that it had in fact ceased engaging in the business of deferred deposit transactions.
12 Alta Dena continued to engage in the business of deferred deposit transactions as described
13 above notwithstanding numerous written notifications regarding licensure and a written
14 representation from Alta Dena that such activities had ceased.

15 By reason of the foregoing, S. Patel, K. Patel and Alta Dena have 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.

18 Pursuant to California Financial Code section 23050, S. Patel, K. Patel and Alta Dena are
19 hereby ordered to desist and refrain from engaging in the business of deferred deposit
20 transactions in the State of California without first obtaining a license from the Commissioner, or
21 otherwise being exempt. This Order is necessary, in the public interest, for the protection of
22 consumers and is consistent with the purposes, policies and provisions of the California Deferred
23 Deposit Transaction Law. This order shall remain in full force and effect until further order of
24 the Commissioner.

25 California Financial Code section 23050 provides in pertinent part:

26 Whenever, in the opinion of the commissioner, any person is engaged in the
27 business of deferred deposit transactions, as defined in this division, without
28 a license from the commissioner . . . the commissioner may order that person
 or licensee to desist and to refrain from engaging in the business If, within
 30 days, after the order is served, a written request for a hearing is filed and no

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

hearing is held within 30 days thereafter, the order is rescinded.

Dated: July 19, 2005
Los Angeles, CA

WAYNE STRUMPFER
Acting Corporations Commissioner

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