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Attorneys for Complainant

BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
OF THE STATE OF CALIFORNIA

In the Matter of:)	CDDTL LICENSE NO.: 100-4387
)	
THE COMMISSIONER OF BUSINESS)	
OVERSIGHT,)	
)	ORDER REVOKING CALIFORNIA
Complainant,)	DEFERRED DEPOSIT TRANSACTION
)	LICENSE PURSUANT TO FINANCIAL
v.)	CODE SECTION 23052
)	
QUICK CASHING, INC., DBA, FAMILY)	
FINANCIAL CENTER,)	
)	
Respondent.)	
)	
)	

Complainant, the California Commissioner of Business Oversight (“Commissioner”) finds that:

1. Quick Cashing, Inc., dba, Family Financial Center (“Quick Cashing”), is a company licensed by the Commissioner with its principal place of business located at 1266 S. Lake Street, Los Angeles, CA 90006.

1 2. On February 8, 2012, the Commissioner issued Quick Cashing a deferred deposit
2 transaction originator license (License No. 100-4387), pursuant to the California Deferred Deposit
3 Transaction Law (“CDDTL”) set forth in California Financial Code sections 23000 et seq.

4 3. “Deferred deposit transaction” means a transaction whereby a person defers
5 depositing a customer’s personal check until a specific date, pursuant to a written agreement for a fee
6 or other charge. “Personal check,” as referenced in California Financial Code section 23001,
7 subdivision (a), includes the electronic equivalent of a personal check, such as an Automated
8 Clearing House (“ACH”) or debit card transaction.

9 4. When Quick Cashing filed an application with the Commissioner for a license to make
10 deferred deposit transactions, Quick Cashing included a declaration, designated as “Exhibit K” to the
11 application, signed under penalty of perjury, stating that:

12 **I (we) have obtained and read copies of the California Deferred**
13 **Deposit Transaction Law (Division 10 of the California Financial**
14 **Code) and the Rules (Chapter 3, Title 10, California Code of**
15 **Regulations) and am familiar with their content: and,**

16 **I (we) agree to comply with all the provision[s] of the California**
17 **Deferred Deposit Transaction Law, including any rules or orders**
18 **of the Commissioner of Corporations.**

19 5. On February 13, 2013, the Department of Business Oversight (“Department”) notified
20 Quick Cashing of an upcoming regulatory examination and directed Quick Cashing to provide its last
21 four quarterly balance sheets and income statements prepared in accordance with the Generally
22 Accepted Accounting Principles.

23 6. The Department commenced its regulatory examination of Quick Cashing, in June
24 2013. The examination revealed numerous violations of the CDDTL, as described below.

25 7. Quick Cashing failed to prepare or to provide the Commissioner with its quarterly
26 balance sheets and income statements, in violation of California Code of Regulations, title 10, section
27 2025(b).

28 8. Quick Cashing failed to maintain records to show that it met the net worth requirement
of \$25,000.00, in violation of California Financial Code sections 23007 and 23024.

1 9. Quick Cashing failed to maintain separate books and records for the deferred deposit
2 transactions for Non-Sufficient Funds, in violation of California Financial Code section 23024, and
3 California Code of Regulations, title 10, section 2027.

4 10. Quick Cashing's records show that the face amount of 8 deferred deposit transactions
5 exceeds \$300.00, in violation of California Financial Code section 23035(a).

6 11. Quick Cashing used collection letters to threaten customers with criminal prosecution,
7 in violation of California Financial Code section 23035(b).

8 12. Quick Cashing used collection letters to threaten customers with filing of small claim
9 actions and liability of treble damages, in violation of California Financial Code section 23036(d).

10 13. Quick Cashing did not provide a written notice to customers that their checks are
11 being negotiated as part of California Financial Code section 23035, in violation of California
12 Financial Code section 23035(c)(6).

13 14. Quick Cashing failed to clearly and conspicuously post a notice in the unobstructed
14 view of the public at its business location disclosing that it cannot use criminal process against a
15 customer to collect any deferred deposit transaction, in violation of California Financial Code section
16 23035(d)(1).

17 15. Quick Cashing failed to clearly and conspicuously post a notice in the unobstructed
18 view of the public at its business location disclosing the schedule of all charges and fees to be
19 charged on those deferred deposit transactions with an example of all charges and fees that would be
20 charged on at least a \$100.00 and a \$200.00 deferred deposit transaction, payable in 14 days and 30
21 days, respectively, giving the corresponding annual percentage rate, in violation of California
22 Financial Code section 23035(d)(2).

23 16. Quick Cashing failed to identify customers' addresses in written agreements, in
24 violation of California Financial Code section 23035(e)(4).

25 17. Quick Cashing charged excessive Non-Sufficient Funds fees of \$20.00 on
26 approximately 49 deferred deposition transactions, in violation of California Financial Code section
27 23036(e). The principal loan amounts of the deferred deposit transactions, and interest charges and
28 fees charged to customers for the 49 transactions totaled \$13,150.81.

1 18. Quick Cashing’s surety bond expired on February 20, 2014. Quick Cashing did not
2 reinstate or replace its surety bond, in violation of California Financial Code section 23013.

3 19. Subsequent to the Department’s examination and notice to Quick Cashing of the
4 above noted violations, the Commissioner received a letter, in which Quick Cashing requested to
5 surrender its license dated April 7, 2014.

6 20. On August 25, 2014, the Commissioner issued and served on Quick Cashing a Notice of
7 Intention to Issue Order Revoking the CDDTL license held by Quick Cashing, an Accusation, a
8 Statement to Quick Cashing accompanied by relevant legal references, and a form pleading, whereby
9 Quick Cashing could file a Notice of Defense to request a hearing concerning the revocation. Quick
10 Cashing requested a hearing.

11 21. The matter was heard, on February 23, 2015 and November 30, 2015, by an
12 Administrative Law Judge, who found that cause existed to revoke Quick Cashing’s deferred deposit
13 transaction originator license, and ordered the deferred deposit transaction originator license (License
14 No. 100-4387) issued to Quick Cashing to be revoked.

15 22. On February 3, 2016, the Commissioner adopted the Administrative Law Judge’s
16 proposed decision, and the Commissioner’s decision became final on March 4, 2016.

17 NOW, BASED UPON THE FOREGOING, it is hereby ORDERED under the provisions of
18 California Financial Code section 23052 that Quick Cashing, Inc., dba, Family Financial Center’s
19 license is revoked. This Order is effective as of the date hereof.

20 Dated: April 11, 2016
21 Sacramento, California

JAN LYNN OWEN
Commissioner of Business Oversight

22
23 By: _____
24 MARY ANN SMITH
25 Deputy Commissioner
26 Enforcement Division
27
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