

1 MARY ANN SMITH
Deputy Commissioner
2 SEAN ROONEY
Assistant Chief Counsel
3 BLAINE A. NOBLETT (State Bar No. 235612)
Senior Counsel
4 Department of Business Oversight
320 West 4th Street, Suite 750
5 Los Angeles, California 90013-2344
Telephone: (213) 576-1396
6 Facsimile: (213) 576-7181

7 Attorneys for Complainant

8
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
10 OF THE STATE OF CALIFORNIA

11 In the Matter of:) CFL LICENSE NO.: 603-K706
12)
13 THE COMMISSIONER OF BUSINESS) ORDER DENYING PETITION FOR
OVERSIGHT,) REINSTATEMENT
14)
15 Complainant,) (Gov. Code, § 11522)
16 v.)
17)
18 ROCKLAND FUND FINANCIAL LLC,)
19 Respondent.)
20)
21)

22 TO: XAVIER BECERRA
ATTORNEY GENERAL, STATE OF CALIFORNIA
23 Department of Justice
24 P.O. Box 944255
Sacramento, California 94244-2550

25 ROCKLAND FUND FINANCIAL LLC
26 222 N. Sepulveda Boulevard, Suite 2000
27 El Segundo, California 90245

28 Petitioner, Rockland Fund Financial LLC (Rockland), filed a petition for reinstatement of its

1 California Financing Law (CFL) (Fin. Code, § 22000 et seq.) lender and broker license. This agency
2 having considered the petition finds that:

3 Petitioner is not entitled to reinstatement of its CFL lender and broker license for the
4 following reasons.

5 1. Rockland received its finance lender and broker license on January 18, 2014.

6 2. On May 27, 2015, the Commissioner revoked Rockland's finance lender and broker
7 license for its failure to file its 2014 annual report under section 22159 of the Financial Code.

8 3. The Commissioner set aside the revocation of Rockland's license on April 5, 2016.

9 4. Shortly after reinstating Rockland's license, on November 4, 2016, the Commissioner
10 received notice of the cancellation of Rockland's surety bond. Under Financial Code section 22112,
11 subdivision (a), all CFL licensees must maintain a surety bond in a minimum amount of \$25,000.00.
12 The Commissioner sent Rockland notice of the surety bond cancellation on November 14, 2016, but
13 Rockland did not respond to the Commissioner's notice.

14 5. On December 9, 2016, the Commissioner sought to revoke Rockland's license on the
15 basis of the company's failure to maintain a surety bond as required under Financial Code section
16 22112. The Commissioner issued a notice of intention to issue an order revoking Rockland's license
17 and accusation on December 19. Rockland timely filed its notice of defense under Government Code
18 section 11506 for the purpose of denying the allegations set forth in the notice of intention and
19 accusation and requesting an administrative hearing.

20 6. Prior to the hearing, on January 10, 2017, the Commissioner received Rockland's bond
21 reinstatement notice. But Rockland had failed to obtain a properly notarized surety bond. On January
22 20, 2017, the Commissioner sent Rockland a certified letter requesting it correct the bond.

23 7. On March 22, 2017, effective April 11, 2017, the Commissioner again summarily
24 revoked Rockland's license on the basis of the company's failure to file its 2016 annual report under
25 Financial Code section 22159. Rockland's lender and broker license remains revoked.

26 8. On April 14, 2017, the Commissioner received Rockland's properly executed bond.
27 On May 12, 2017, the Commissioner issued an order dismissing Rockland's license revocation
28 proceeding for its failure to maintain a surety bond.

1 9. But on May 5, 2017, the Commissioner received yet another cancellation notice
2 concerning Rockland’s surety bond. The Commissioner sent Rockland notice of the bond
3 cancellation on May 26, 2017. Rockland provided the Commissioner its reinstated bond on June 5,
4 but Rockland's principal had not properly executed the bond; thus, it was not effective. Because the
5 Commissioner had already summarily revoked Rockland's license for its failure to file the 2016
6 annual report, the Commissioner did not take any additional action on the defective reinstated bond
7 issue.

8 10. On or about January 30, 2018, the Commissioner received Rockland’s petition for the
9 reinstatement of its lender and broker license. Rockland asserted in its petition that “there was an
10 overturn of staff and one of the Company’s employees responsible for filing the CFL annual reports
11 with the DBO had suddenly left his position with the Company. Unbeknownst to the Company’s
12 executives, the annual report was not filed in a timely manner and the Company’s CFL license was
13 revoked.”

14 11. The Commissioner issued and served Rockland with a notice of petition for
15 reinstatement on August 10, 2018. Rockland had until August 30 to submit additional briefing in
16 support of its petition. No such briefing or argument was received within the time provided under the
17 Commissioner's notice, and Rockland failed to request additional time to submit such briefing or
18 additional argument.

19 ///

20 ///

21 ///

22

23

24

25

26

27

28

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

12. Rockland has demonstrated repeat violations of the CFL in failing to timely file its annual reports and maintain its surety bond. In light of the foregoing, Rockland fails to show that it is presently capable of holding a finance lender and broker license.

WHEREFORE, IT IS ORDERED that the Petition be denied.

Dated: September 6, 2018
Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight



By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division