

STATE OF CALIFORNIA
DEPARTMENT OF CORPORATIONS

ORDER

In the matter of) REVOKING CALIFORNIA FINANCE LENDERS LICENSE
)) PURSUANT TO SECTION 22107
)) FINANCIAL CODE

SOUTH BAY FUNDING, INC.
ONE PEARL STREET
REDONDO BEACH, CA 90277

Respondent) File No. 603C986
)
License under the)
California Finance Lenders Law)

The Commissioner finds that the annual assessment as required by Section 22107 of the Finance Code has not been filed, although notification to the Respondent to pay the assessment was duly sent on or about November 4, 2011.

THEREFORE, GOOD CAUSE APPEARING, Respondent's California Finance Lenders License is revoked effective December 13, 2011 pursuant to Section 22107 of the Financial Code, unless the annual assessment is received in good funds by the Department of Corporations Accounting Office located on **1515 K. Street, Suite 200, Sacramento, California 95814**, no later than the close of business on December 12, 2011. On the effective date of this Revocation Order, if the annual assessment has not been paid, you are hereby ordered and directed to discontinue the making or brokering of any loan made pursuant to the California Finance Lenders Law. You are also ordered and directed to discontinue all activity conducted pursuant to Section 22340 and Section 22600 of the Financial Code within 60 days of the effective date of this Order.

This ORDER is to remain in full force and effect until the further written order of the Commissioner of Corporations.

Section 22107 (d) of the Financial Code provides as follows:

If a licensee fails to pay the assessment on or before the 31st day of October, the commissioner may by order summarily suspend or revoke the certificate issued to the licensee. If, after an order is made, a request for hearing is filed in writing within 30 days, and a hearing is not held within 60 days thereafter, the order is deemed rescinded as of its effective date. During any period when its certificate is revoked or suspended, a finance lender or broker licensee and any mortgage loan originator licensee employed by the finance lender or broker shall not conduct business pursuant to this division except as may be permitted by order of the commissioner. However, the revocation, suspension or surrender of a certificate shall not affect the powers of the commissioner as provided in this division.

Dated: Los Angeles, California
November 21, 2011

PRESTON DUFAUCHARD
California Corporations Commissioner

Effective: December 13, 2011

By _____
PATRICIA R. SPEIGHT
Special Administrator
California Finance Lenders Law

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Deputy Commissioner
3 Department of Corporations
4 320 West 4th Street, Ste. 750
Los Angeles, California 90013-1105
5 Attorneys for Complainant

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7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

9 In the Matter of the Accusation of) File No. 603-C986
10 THE CALIFORNIA CORPORATIONS)
11 COMMISSIONER,)
12)
13 Complainant,)
14)
15 vs.) NOTICE OF INTENTION
16 SOUTH BAY FUNDING, INC. ,) TO ISSUE ORDER
17 Respondent.) REVOKING CALIFORNIA
FINANCE LENDERS LICENSE

18
19 Pursuant to section 22714 of the California Finance Lenders Law (California
20 Financial Code), notice is hereby given of the intention of the California Corporations
21 Commissioner to enter his Order pursuant to section 22714 of the California Finance
22 Lenders Law to revoke Respondent's finance lenders license.

23 The attached Accusation, which is incorporated by this reference, states the reasons
24 for the intended Order.

25
26 Unless a request for hearing, as evidenced by the mailing or delivery of the Notice of
27 Defense, is received within 15 days after the Accusation was personally served upon you or
28

1 mailed to you, such Order may be entered at any time thereafter without a hearing.

2 DATED: November 30, 2011
3 Los Angeles, California

4 PRESTON DuFAUCHARD
5 California Corporations Commissioner

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7 By _____
8 PATRICIA R. SPEIGHT
9 Special Administrator
10 California Finance Lenders Law
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California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Deputy Commissioner
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4 320 West 4th Street, Ste. 750
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7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

9 In the Matter of the Accusation of) File No. 603-C986
10 THE CALIFORNIA CORPORATIONS)
11 COMMISSIONER,)
12)
13 Complainant,)
14) ACCUSATION
15 vs.)
16)
17 SOUTH BAY FUNDING, INC. ,)
18)
19 Respondent.)
20)
21)
22)

23 The Complainant is informed and believes, and based upon such information and
24 belief, alleges and charges Respondent as follows:

25 I

26 Respondent is a finance lender and/or broker licensed by the California Corporations
27 Commissioner ("Commissioner") pursuant to the California Finance Lenders Law
28 (California Financial Code § 22000 et seq.) ("CFL"). Respondent has its principal place of
business located at:

ONE PEARL STREET
REDONDO BEACH, CA 90277

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2 II

3 Pursuant to California Financial Code section 22112, all CFL licensees are required to
4 maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of
5 respondent expired on 11/20/2011. On or about 10/21/2011, the Commissioner notified
6 respondent that a replacement surety bond had to be filed immediately, but no later than the
7 expiration date to avoid suspension or revocation of its CFL license.

8 Respondent has yet to obtain a replacement surety bond in violation of California
9 Financial Code section 22112.

10 III

11 California Financial Code section 22112 provides in pertinent part:

12 A licensee shall maintain a surety bond in accordance with this subdivision in
13 the amount of twenty-five thousand dollars (\$25,000). The bond shall be
14 payable to the commissioner and issued by an insurer authorized to do business
15 in this state. A copy of the bond, including any and all riders and
16 endorsements executed subsequent to the effective date of the bond, shall be
17 filed with the commissioner for review and approval within 10 days of
18 execution. For licensees with multiple licensed locations, only one surety
19 bond in the amount of twenty-five thousand dollars (\$25,000) is required. The
20 bond shall be used for the recovery of expenses, fines, and fees levied by the
21 commissioner in accordance with this division or losses or for damages
22 incurred by consumers as the result of a licensee's noncompliance with the
23 requirements of this division.

24 California Financial Code section 22714 provides in pertinent part:

25 The commissioner may suspend or revoke any license, upon notice and
26 reasonable opportunity to be heard, if the commissioner finds any of the
27 following:

28 (a) The licensee has failed to comply with any demand, ruling, or requirement
of the commissioner made pursuant to and within the authority of this division.

(b) The licensee has violated any provision of this division or any rule or
regulation made by the commissioner under and within the authority of this
division.

1 (c) A fact or condition exists that, if it had existed at the time of the original
2 application for the license, reasonably would have warranted the commissioner
3 in refusing to issue the license originally.

4 IV

5 The Commissioner finds that, by reason of the foregoing, Respondent has violated
6 California Financial Code section 22112, and based thereon, grounds exist to revoke the
7 California Finance Lender license of Respondent.

8 WHEREFORE, IT IS PRAYED that the California finance lender license of
9 Respondent be revoked.

10 DATED: November 30, 2011
11 Los Angeles, California

12 PRESTON DuFAUCHARD
13 California Corporations Commissioner

14
15 By _____
16 PATRICIA R. SPEIGHT
17 Special Administrator
18 California Finance Lenders Law
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