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**STATE OF CALIFORNIA**  
**BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY**  
**DEPARTMENT OF BUSINESS OVERSIGHT**

TO: To The Point, Inc.  
Yonathan Frim, President  
7924 Sunkist Drive  
Oakland, CA 94605

**DESIST AND REFRAIN ORDER**  
**(For Violations of Financial Code sections 22162 and 22338)**

The Commissioner of the Department of Business Oversight (“Commissioner”) finds the following:

1. At all relevant times, To The Point, Inc. was a finance broker licensed by the Department of Business Oversight under the California Finance Lenders Law (CFLL), holding license number 60DBO-45410, and having a principal business address of 7924 Sunkist Drive, Oakland, California 94605. Yonathan Frim was President of To The Point, Inc.
2. On January 1, 2016, Yonathan Frim, as President of To The Point, signed a Lead Generation Agreement with 5 Star Loans, Inc. doing business as 5 Star Loans. 5 Star Loans is a finance lender licensed by the Department of Business Oversight under the CFLL (license number 603J988), with a principal place of business at 1172 San Pablo Avenue, Unit 102, Berkeley, California 94706.
3. Under the Lead Generation Agreement, Yonathan Frim and To The Point, Inc. agreed to generate customer leads for 5 Star Loans using website advertising. To accomplish this task, Yonathan Frim and To The Point produced a website for the purpose of brokering loans to 5 Star Loans. The website at [www.leadtitleloans.com](http://www.leadtitleloans.com) advertised auto title loans under the name of Lead Car Tile Loans or Lead Title Loans.
4. Through this website, prospective borrowers submitted an application form. That form included information such as a description of the borrower’s automobile used for loan collateral. As

1 part of this application process, the prospective borrower was required to sign the form by  
2 submitting a first and last name. Once the application was complete, the customer would receive a  
3 notice stating, "Your Loan Application Has Been Submitted!" The application information was  
4 forwarded from the broker, To The Point, Inc., to the finance lender, 5 Star Loans.

5 5. On August 11, 2016, To The Point, Inc. surrendered its finance broker license under the  
6 CFLL. Financial Code section 22705 provides that whenever the Commissioner deems it necessary  
7 for the general welfare of the public, she has continuous authority to exercise the powers set forth in  
8 the CFLL whether or not any license has been surrendered.

9 6. Financial Code section 22162 prohibits a licensee from placing an advertisement primarily in  
10 this state for a loan unless the licensee discloses in the printed text of the advertisement the license  
11 under which the loan would be made or arranged. Here, To The Point, Inc. used a website with the  
12 name Lead Car Title Loans to advertise auto tile loans from a variety of California locations  
13 including Capitola, California. That website advertising does not disclose the license numbers of  
14 either the finance broker, To The Point, Inc., or the finance lender, 5 Star Loans, Inc.

15 7. In addition, Financial Code section 22338, subdivision (e) requires a licensed broker to  
16 deliver to the potential borrower, at the time the licensee first requires or accepts any signed  
17 instrument, a statement showing in clear and distinct terms the name, address, and license number of  
18 the broker and finance lender. Here, borrowers submitted a signed application through the Lead Car  
19 Title Loans website; however, this initial application form did not disclose the name, address, or  
20 license number of the finance broker, To The Point, Inc., or the finance lender, 5 Star Loans.

21 Based on the foregoing, the Commissioner of Business Oversight is of the opinion that To  
22 The Point, Inc. and Yonathan Frim have advertised auto title loans and taken applications for these  
23 loans through a website using the name of Lead Car Title Loans or Lead Title Loans, without  
24 disclosing the license numbers, names and addresses of the finance broker or finance lender, in  
25 violation of Financial Code sections 22162 and subdivision (e) of section 22338. Pursuant to section  
26 22712, To The Point, Inc. and Yonathan Frim are hereby ordered to desist and refrain from  
27 advertising loans and taking loan applications, unless and until the advertising sets forth the loan  
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1 numbers of the broker and lender, and unless and until initial applications set forth the name, address  
2 and license numbers of the broker and lender.

3 This order is necessary, in the public interest, for the general welfare of the public, for the  
4 protection of investors and consistent with the purposes, policies, and provisions of the California  
5 Finance Lenders Law.

6 Dated: October 10, 2016

7 JAN LYNN OWEN  
8 Commissioner of Business Oversight

9  
10 By \_\_\_\_\_  
11 MARY ANN SMITH  
12 Deputy Commissioner  
13 Enforcement Division  
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