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BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT

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OF THE STATE OF CALIFORNIA

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In the Matter of THE COMMISSIONER OF) DESIST AND REFRAIN ORDER PURSUANT
BUSINESS OVERSIGHT OF THE STATE OF) TO CALIFORNIA FINANCIAL CODE
13 CALIFORNIA,) SECTION 22712

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Complainant,

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vs.

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Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a.
USA One Funding Group,

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Respondent.

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The California Commissioner of Business Oversight (“Commissioner”), is informed and
24 believes, and based on such information and belief, finds as follows:

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I.

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FACTUAL BACKGROUND

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1. Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a. USA One Funding Group (“USA One
28 Funding”) has a business address located at 587 N. Ventu Park Rd., Unit 435, Newbury Park,

1 California 91320-2723.

2 2. At all relevant times herein USA One Funding operated a website at
3 www.usa1funding.com with business phone number 805-443-4439. The website stated that USA
4 One Funding “specializes in structuring financing, loans, and leases for the trucking and commercial
5 food service industry . . . We have a program for the ‘start up’ business owner as well as provide an
6 Unsecured Line Of Credit to supplement the shortage of down payment.”

7 3. From at least January 2013 through June 2013, USA One Funding engaged in the
8 business of making or brokering commercial loans via telephone, internet, and U.S. mail.

9 4. In or around May 2013, USA One Funding offered at least one potential borrower a
10 loan based on a written term sheet that the potential borrower had to sign, scan, and return to USA
11 One Funding via email. The potential borrower was required to make an initial down payment of
12 \$7,500 to USA One Funding. The potential borrower had the option of paying via cashier’s check or
13 money order payable to USA One Funding Group to 507 N. Ventu Park Rd., Unit 435, Thousand
14 Oaks, CA 91320, or to deposit or wire the required amount to its Wells Fargo business bank account
15 located in Camarillo, California. USA One Funding stated that the required deposit was fully
16 refundable if the transaction was not funded pursuant to the terms stated by USA One Funding.

17 5. In or around May 2013, the potential borrower signed the term sheet and wired the
18 \$7,500 for deposit to the Wells Fargo business bank account of USA One Funding in Camarillo,
19 California.

20 6. In or around June 2013, the potential borrower was informed that the loan was denied
21 and hence was not funded. Despite the potential borrower’s repeated requests for a refund via email
22 and U.S. mail, USA One Funding has not refunded the \$7,500.

23 7. USA One Funding has not been issued a license by the Commissioner authorizing it to
24 engage in the business of a finance lender or broker under the California Finance Lenders Law.

25 8. USA One Funding is not exempt from the licensing requirements of California
26 Financial Code section 22100.

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II.

DESIST AND REFRAIN ORDER

The Department of Business Oversight, through the Commissioner of Business Oversight, is vested with the authority to license and regulate finance lenders and brokers in the State of California pursuant to the California Finance Lenders Law (California Financial Code sections 22000 et seq.).

California Financial Code section 22100, subdivision (a), provides, “No person shall engage in the business of a finance lender or broker without obtaining a license from the commissioner.”

California Financial Code section 22161, subdivision (a), provides, “No person shall make a materially false or misleading statement or representation to a borrower about the terms or conditions of that borrower’s loan, when making or brokering the loan.”

California Financial Code section 22712 provides in pertinent part:

Whenever, in the opinion of the commissioner, any person is engaged in the business as a broker or finance lender, or a mortgage loan originator, as defined in this division, without a license from the commissioner, or any licensee is violating any provision of this division, the commissioner may order that person or licensee to desist and to refrain from engaging in the business or further violating this division. If, within 30 days after the order is served, a written request for a hearing is filed and no hearing is held within 30 days thereafter, the order is rescinded

NOW, BASED UPON THE FOREGOING, IT IS HEREBY ORDERED, under the provisions of California Financial Code section 22712 that Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a. USA One Funding Group and any and all officers, directors, employees, independent contractors, or agents operating on behalf of Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a. USA One Funding Group and their successors or assigns immediately desist and refrain from engaging in the business of a finance lender or broker without having first obtained a license from the Commissioner in violation of California Financial Code section 22100.

Furthermore, Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a. USA One Funding Group and any and all officers, directors, employees, independent contractors, or agents operating on behalf of

1 Daniel Ray Jackson a.k.a. Dan Jackson, d.b.a. USA One Funding Group and their successors or
2 assigns are ordered to immediately desist and refrain from making any materially false or misleading
3 statement or representation to a borrower about the terms or conditions of that borrower's loan, when
4 making or brokering the loan, in violation of California Financial Code section 22161.

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Dated: November 13, 2013
Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

By: _____
MARY ANN SMITH
Deputy Commissioner