

1 PRESTON DUFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER (CA BAR NO. 86717)
Acting Deputy Commissioner
3 Department of Corporations
320 West 4th Street, Ste. 750
4 Los Angeles, California 90013-2344

5 Attorneys for Complainant

6
7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

9 In the Matter of the Accusation of THE) Case No.: 100-1655
10 CALIFORNIA CORPORATIONS)
11 COMMISSIONER,) ORDER SETTING ASIDE CITATIONS AND
12 Complainant,) DESIST AND REFRAIN ORDER
13 vs.)
14 MILAN VONSIGHART & ROBERT G.)
15 CARTER dba CHECKPOINT CHECK)
16 CASHING)
17 Respondent.)

18
19 The California Corporations Commissioner finds that:

20 I

21 Respondent Milan Vonsighart & Robert G. Carter dba Checkpoint Check Cashing
22 (“Checkpoint”) submitted information to the Department demonstrating that Checkpoint was
23 maintaining substantial evidence of the customers’ checks on deferred deposit transactions in a
24 computer database.

25 THEREFORE, GOOD CAUSE APPEARING, the Citations and Desist and Refrain Order
26 issued pursuant to California Financial Code Section 23058 issued by the Commissioner to
27 Checkpoint on May 13, 2008 is hereby set aside effective this date.
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Dated: July 9, 2008
Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator

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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: MILAN VONSIGHART & ROBERT G. CARTER
DBA CHECK POINT CHECK CASHING
1950 Oceanside Blvd., #F
Oceanside, CA 92054

CITATIONS
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code section 23058)

The California Corporations Commissioner finds that:

1. Milan Vonsighart & Robert G. Carter dba Checkpoint Check Cashing, hereinafter (“Licensee”) is, and was at all relevant times herein a partnership authorized to conduct business in California with its principal place of business located at 1950 Oceanside Blvd., #F, Oceanside, CA 92054 (“Location 1”). Licensee has an additional licensed business location at 9272 Miramar Rd., #20, San Diego, CA 92126 (“Location 2”).

2. On or about December 31, 2004, Licensee obtained licenses from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at Locations 1 and 2.

3. An examination of Licensee conducted by the Commissioner on December 6, 2007 disclosed the following violation at Location 1.

Citation A - Location 1. Licensee failed to maintain evidence of check for closed deferred deposit transactions in violation of Financial Code section in violation of California Code of Regulations section 2025 (c) (1).

Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to the Commissioner an administrative penalty for Location 1 in the total amount \$2,500 for the following Citation within 30 days from the date of this Citation.

Citation A. \$2,500

1 Pursuant to California Financial Code section 23050, Licensee is hereby ordered to desist
2 and refrain from engaging in the business of deferred deposit transactions in the State of
3 California in violation of the above referenced sections.

4 This Citation and Desist and Refrain Order are necessary, in the public
5 interest, for the protection of consumers and is consistent with the purposes, policies and
6 provisions of the California Deferred Deposit Transaction Law. This Citation and Desist and
7 Refrain Order shall remain in full force and effect until further order of the Commissioner.

8 This Citation is separate from any further action that may include other administrative,
9 civil or criminal remedies that the Commissioner may take based upon the violations of law cited
10 herein or otherwise.

11 California Financial Code section 23058 provides, in relevant part:

12 (a) If, upon inspection, examination or investigation, based upon a
13 complaint or otherwise, the department has cause to believe that a person
14 is engaged in the business of deferred deposit transactions without a license,
15 . . . the department may issue a citation to that person in writing, describing
16 with particularity the basis of the citation. Each citation may contain . . . an
17 assessment of an administrative penalty not to exceed two thousand five hundred
18 dollars (\$2,500)

19 . . .

20 (c) If within 30 days from the receipt of the citation of the person cited fails
21 to notify the department that the person intends to request a hearing as
22 described in subdivision (d), the citation shall be deemed final.

23 (d) Any hearing held under this section shall be conducted in accordance with
24 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
25 of the Government Code

26 California Financial Code section 23050 provides:

27 Whenever, in the opinion of the commissioner, any person is engaged in the
28 business of deferred deposit transactions, 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.

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The request for a hearing may be made by delivering or mailing a written request to:
Steven Thompson
Special Administrator
California Deferred Deposit Transaction Law
Department of Corporations
320 West 4th Street, Ste. 750
Los Angeles, California 90013-2344
(213) 576-7610

Dated: May 13, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
STEVEN C. THOMPSON
Special Administrator
California Deferred Deposit Transaction Law