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

TO: 9 to 5 Properties, LLC  
Patrick Andrew McGlynn  
9427 Soaring Oaks Drive  
Elk Grove, CA 95758

**DESIST AND REFRAIN ORDER**

**(For violations of section 22100 of the California Financial Code)**

The Commissioner of Business Oversight (Commissioner) finds that:

1. At all relevant times herein, 9 to 5 Properties, LLC (9 to 5 Properties), was a limited liability company formed in the State of Washington on April 29, 2015, with a principal place of business located at 9427 Soaring Oaks Drive, Elk Grove, California 95758. The registered agent of 9 to 5 Properties was Patrick Andrew McGlynn (“McGlynn”), with a principal place of business located at 9427 Soaring Oaks Drive, Elk Grove, California 95758.

2. According to records from the Washington Secretary of State’s Office, 9 to 5 Properties’ status became inactive on September 13, 2016.

3. At all relevant times, Patrick Andrew McGlynn represented he was a private lender or real estate investor on various social media platforms including Facebook ([www.facebook.com/9to5properties](http://www.facebook.com/9to5properties)) and LinkedIn.com ([www.linkedin.com/in/Patrick-mcglynn-21138821](http://www.linkedin.com/in/Patrick-mcglynn-21138821)) and promised a loan rate at 5% for secured, unsecured, personal loans and mortgage loans. McGlynn indicated that prospective borrowers could contact him at [patrickamcglynn@gmail.com](mailto:patrickamcglynn@gmail.com).

4. Beginning in at least April 2017, a California resident contacted Patrick Andrew McGlynn at [patrickamcglynn@gmail.com](mailto:patrickamcglynn@gmail.com) to secure a loan.

5. McGlynn responded by email to the California resident regarding the terms of the loans, including requirements (1) that borrowers have a “working bank account in his/her name or

1 company name used”; (2) repayment terms; (3) the potential of legal actions should the loan not be  
2 repaid; (4) interest rates; (5) the fact that no credit scores or checks would be required; (6) potential  
3 loan amounts and terms.

4 6. The Commissioner has jurisdiction over and regulates finance lenders and brokers  
5 under the California Finance Lenders Law (Fin. Code, § 22000 et seq.). Financial Code section  
6 22100 states “No person shall engage in the business of a finance lender or broker without obtaining  
7 a license from the commissioner.”

8 7. Financial Code section 22009 defines a “finance lender” in part as follows " ‘Finance  
9 lender’ includes any person who is engaged in the business of making consumer loans or making  
10 commercial loans.”

11 8. Neither 9 to 5 Properties nor McGlynn are licensed by the Commissioner to engage in  
12 the business of a finance lender or broker as required by Financial Code section 22100.

13 Based on the foregoing findings, the Commissioner of Business Oversight is of the opinion  
14 that 9 to 5 Properties, LLC and Patrick Andrew McGlynn have engaged in the business of a finance  
15 lender or broker in violation of Financial Code section 22100. Pursuant to Financial Code section  
16 22712, 9 to 5 Properties and Patrick Andrew McGlynn are hereby ordered to desist and refrain from  
17 engaging in the business of a finance lender or broker in the State of California without first obtaining  
18 a license from the Commissioner, or otherwise being exempt.

19 This Order is necessary, in the public interest, for the protection of consumers and is  
20 consistent with the purposes, policies and provisions of the California Finance Lenders Law.

21  
22 Dated: April 25, 2017  
23 Sacramento, California

JAN LYNN OWEN  
Commissioner of Business Oversight

24  
25 By: \_\_\_\_\_  
26 MARY ANN SMITH  
27 Deputy Commissioner  
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