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9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
10 OF THE STATE OF CALIFORNIA

12 In the Matter of: ) CRMLA License No.: 41DBO-80076  
 )  
13 THE COMMISSIONER OF BUSINESS )  
OVERSIGHT, )  
14 )  
15 Complainant, )  
 )  
16 v. ) ORDER TO DISCONTINUE VIOLATION  
 ) PURSUANT TO FINANCIAL CODE  
17 TJC MORTGAGE, INC., ) SECTION 50321 AND STATEMENT OF  
 ) FACTS IN SUPPORT THEREOF  
18 )  
 )  
19 Respondent. ) ORDER ASSESSING FINE PURSUANT TO  
 ) FINANCIAL CODE SECTION 50326  
20 )  
21 )  
22 )

23 TO: TJC MORTGAGE, INC.  
One Perimeter Park South, Suites 130S & 230S  
24 Birmingham, Alabama 35243

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1 The Commissioner of Business Oversight (Commissioner) finds that:

2 STATEMENT OF FACTS

3 1. TJC Mortgage, Inc., is a licensed mortgage lender under the California Residential  
4 Mortgage Lending Act (Fin. Code § 50000 et seq.) (CRMLA).

5 2. Financial Code section 50401, subdivision (a), provides that each CRMLA licensee  
6 must pay an annual assessment, and that “[i]n order for the commissioner to calculate the  
7 assessment... each licensee shall file an annual report for the calendar year just ended containing the  
8 information required by the commissioner on or before March 1 of the year in which the assessment  
9 is to be calculated.”

10 3. Financial Code section 50307, subdivision (a), further provides that “[e]ach residential  
11 mortgage lender or servicer licensee shall file a report with the commissioner annually, on or before  
12 the first day of March, giving the relevant information that the commissioner reasonably requires to  
13 make the calculation required by subdivision (a) of Section 50401.”

14 4. Financial Code section 50326 provides that a licensee “shall forfeit to the people of  
15 the state a sum of up to one hundred dollars (\$100) for every day up to the 10th day” when a licensee  
16 fails “to make any report required by law or by the commissioner within 10 days from the day  
17 designated for the making of the report.”

18 6. The Commissioner need not provide notice of the due date of the annual report  
19 required under Financial Code sections 50401, subdivision (a) and 50307, subdivision (a).

20 7. Nonetheless, the Commissioner issued at least three notices to TJC Mortgage, Inc.,  
21 informing TJC Mortgage, Inc., of its duty to submit an annual report on or before March 1, 2019.

22 8. As of the date of this Order, TJC Mortgage, Inc., has not submitted its annual report.

23 ORDER TO DISCONTINUE VIOLATION

24 NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING, IT IS  
25 HEREBY ORDERED that pursuant to Financial Code section 50321, TJC Mortgage, Inc., shall  
26 immediately discontinue the violation set forth above by filing its annual report. This Order to  
27 Discontinue shall become effective immediately and shall remain in effect unless set aside by the  
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1 Commissioner or by a court, but this Order shall not become final except in accordance with the  
 2 provisions of Financial Code section 50323. It is the Commissioner’s intention to make this Order to  
 3 Discontinue final. The Commissioner will schedule a hearing to determine whether this Order to  
 4 Discontinue shall become final only upon receipt of a written request for such a hearing, as evidenced  
 5 by the mailing or delivery of the Notice of Defense, within thirty days of the date the Commissioner  
 6 serves this Order. Upon receiving a request for a hearing, the Commissioner shall set a hearing to  
 7 commence within fifteen business days. If the Commissioner has not received a request for a hearing  
 8 within thirty days of the date the Commissioner serves this Order to Discontinue, the Order will  
 9 become final immediately thereafter without a hearing.

10 ORDER FOR FINE

11 Pursuant to Financial Code section 50326, TJC Mortgage, Inc., is further ordered to forfeit to  
 12 the people of the state a fine of \$1,000.00, paid in the form of a cashier’s check to the “Department of  
 13 Business Oversight,” and mailed to the attention of: Accounting – Litigation, at the Department of  
 14 Business Oversight located at 1515 K Street, Suite 200, Sacramento, California 95814. Notice of  
 15 payment shall be sent to Charles Carriere, Counsel, Enforcement Division, at the Department of  
 16 Business Oversight, located at One Sansome Street, Suite 600, San Francisco, California 94104. If  
 17 the Commissioner has not received a request for a hearing within thirty days of the date the  
 18 Commissioner serves this Order for Fine, this Order shall become final immediately thereafter  
 19 without a hearing and the fine payment shall be payable no later than thirty days of the date the  
 20 Commissioner serves this Order.

21 Dated: April 4, 2019  
 22 San Francisco, California

JAN LYNN OWEN  
 Commissioner of Business Oversight

24 By \_\_\_\_\_  
 25 Mary Ann Smith  
 26 Deputy Commissioner  
 27 Enforcement Division  
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