

1 MARY ANN SMITH  
Deputy Commissioner  
2 Department of Business Oversight  
320 West 4<sup>th</sup> Street, Suite 750  
3 Los Angeles, California 90013

4 Attorney for Complainant  
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6  
7 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
8 OF THE STATE OF CALIFORNIA  
9

10 In the Matter of: ) CFL LICENSE NO.: 60DBO-83949  
11 )  
11 THE COMMISSIONER OF BUSINESS )  
12 OVERSIGHT, )  
13 )  
13 Complainant, ) DESIST AND REFRAIN ORDER PURSUANT  
14 ) TO FINANCIAL CODE SECTION 22712  
14 v. )  
15 )  
15 AXE CAPITAL PARTNERS, LLC, )  
16 )  
17 Respondent. )  
18 )

19 TO: AXE CAPITAL PARTNERS, LLC  
20 100 CHURCH STREET, SUITE 800  
21 NEW YORK, NEW YORK 10007

22 Complainant, the Commissioner of Business Oversight (Commissioner) finds that Axe  
23 Capital Partners, LLC (Respondent) violated provisions of the California Financing Law (CFL)  
24 (Fin. Code, § 22000 et seq.) and applicable regulations and hereby issues the following Findings of  
25 Fact and Desist and Refrain Order:  
26

27 **I.**

28 **Findings of Fact**

1. The Commissioner is authorized to administer and enforce the provisions of the CFL

1 and the rules and regulations promulgated thereunder.

2 1. Respondent is a licensed finance lender/broker with a principal place of business at  
3 100 Church Street, Suite 800, New York, New York 10007.

4 2. Pursuant to Financial Code section 22712, CFL licensees are required to maintain a  
5 surety bond in the minimum amount of \$25,000.00.

6 3. On or around January 13, 2020, the Commissioner received notice that Respondent’s  
7 surety bond would expire on February 14, 2020.

8 4. On January 24, 2020, the Commissioner notified Respondent that the Commissioner  
9 would issue a Desist and Refrain Order under Financial Code section 22712, subdivision (a) if the  
10 surety bond was not reinstated, continued, or replaced by February 14, 2020.

11 5. Respondent’s surety bond expired on February 14, 2020.

12 6. Respondent has yet to replace or reinstate its surety bond in violation of Financial  
13 Code section 22112.

14 **II.**

15 **Desist and Refrain Order**

16 7. Financial Code section 22112 and California Code of Regulations, title 10, section  
17 1422 require a licensee to maintain a surety bond at all times.

18 8. Financial Code section 22712, subdivision (a) provides, in relevant part:

19 Whenever, in the opinion of the commissioner . . . any licensee violates  
20 any provision of this division, any provision of an order, or any  
21 regulation adopted pursuant to this division, the commissioner may order  
22 that person or licensee to desist and to refrain from engaging in the  
23 business or further continuing that violation. 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. . . .

24 9. Respondent violated Financial Code section 22112 and California Code of  
25 Regulations, title 10, section 1422, by failing to maintain its surety bond.

26 NOW BASED ON THE FOREGOING, IT IS HEREBY ORDERED under Financial Code  
27 section 22712, subdivision (a), that Axe Capital Partners, LLC immediately desist and refrain from  
28 further violating Financial Code section 22112 and California Code of Regulations, title 10, section  
1422, by reinstating, continuing, or replacing its surety bond in compliance with Financial Code

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section 22112.

This Order shall remain in full force and effect until further order of the Commissioner.

Dated: February 27, 2020  
Los Angeles, CA

MANUEL P. ALVAREZ  
Commissioner of Business Oversight

By \_\_\_\_\_  
CHARLES AGBONKPOLOR  
Special Administrator  
California Financing Law