

1 MARY ANN SMITH  
Deputy Commissioner  
2 Department of Financial Protection and Innovation  
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 FINANCIAL PROTECTION AND INNOVATION  
8 OF THE STATE OF CALIFORNIA  
9

10 In the Matter of: ) CFL LICENSE NO.: 60DBO-103914  
11 THE COMMISSIONER OF FINANCIAL )  
12 PROTECTION AND INNOVATION, )  
13 Complainant, )  
14 v. ) DESIST AND REFRAIN ORDER PURSUANT  
15 TRI-VALLEY MORTGAGE INC., ) TO FINANCIAL CODE SECTION 22712  
16 Respondent. )  
17 )  
18 )

19 TO: TRI-VALLEY MORTGAGE INC.  
20 1500 STANDIFORD AVE BLDG D  
21 MODESTO, CALIFORNIA 95350

22 Complainant, the Commissioner of Financial Protection and Innovation (Commissioner)  
23 finds that Tri-Valley Mortgage Inc. (Respondent) violated provisions of the California Financing  
24 Law (CFL) (Fin. Code, § 22000 et seq.) and applicable regulations and hereby issues the following  
25 Findings of Fact and Desist and Refrain Order:

26 I.

27 **Findings of Fact**

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

1 and the rules and regulations promulgated thereunder.

2 2. Respondent is a licensed finance lender/broker with a principal place of business at  
3 1500 Standiford Ave Bldg D, Modesto, California 95350.

4 3. 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 4. On or around October 26, 2020, the Commissioner received notice that  
7 Respondent’s surety bond would expire on December 1, 2020.

8 5. On November 5, 2020 the Commissioner notified Respondent that the  
9 Commissioner would issue a Desist and Refrain Order under Financial Code section 22712,  
10 subdivision (a) if the surety bond was not reinstated, continued, or replaced by December 1, 2020.

11 6. Respondent’s surety bond expired on December 1, 2020.

12 7. 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 8. 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 9. 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 10. 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 Tri-Valley Mortgage Inc. 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: January 8, 2021  
Los Angeles, California

MANUEL P. ALVAREZ  
Commissioner of Financial Protection and Innovation

By \_\_\_\_\_  
ADEOLA TANIMOJO  
Special Administrator  
California Financing Law