1	MARY ANN SMITH Deputy Commissioner Department of Financial Protection and Innovation 320 West 4 th Street, Suite 750 Los Angeles, California 90013		
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5	Attorney for Complainant		
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7	BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION		
8	OF THE STATE OF CALIFORNIA		
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10	In the Matter of:) CFL LICENSE NO.: 60DBO-79710	
11	THE COMMISSIONER OF FINANCIAL PROTECTION AND INNOVATION,)	
12 13)) DESIST AND REFRAIN ORDER PURSUANT	
13 14	Complainant,) TO FINANCIAL CODE SECTION 22712	
15	V.)	
16	BUILDERS EQUITY FUND LLC,)	
17	Respondent.)	
18)	
19	IO. DUILDERS EQUIT I FUND LLC		
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22	Complainant, the Commissioner of Financial Protection and Innovation (Commissioner)		
23 24	finds that Builders Equity Fund LLC (Respondent) violated provisions of the California Financing		
24 25	Law (CFL) (Fin. Code, § 22000 et seq.) and applicable regulations and hereby issues the following Findings of Fact and Desist and Refrain Order:		
26	Findings of Fact and Desist and Refrain Order: I.		
27	Findings of Fact		
28	1. The Commissioner is authorized to administer and enforce the provisions of the CFL		
		1	
	DESIST AND REFRAIN ORDER		

and the rules and regulations promulgated thereunder. 1 2 Respondent is a licensed finance lender/broker with a principal place of business at 2. 3 1650 Voyager Avenue, Suite B, Simi Valley, CA 93063. Pursuant to Financial Code section 22712, CFL licensees are required to maintain a 4 3. 5 surety bond in the minimum amount of \$25,000.00. On or around September 8, 2020, the Commissioner received notice that 6 4. 7 Respondent's surety bond would expire on October 7, 2020. 8 5. On September 29, 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 October 7, 2020. 11 6. Respondent's surety bond expired on October 7, 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 any provision of this division, any provision of an order, or any 20 regulation adopted pursuant to this division, the commissioner may order that person or licensee to desist and to refrain from engaging in the 21 business or further continuing that violation. If, within 30 days after the 22 order is served, a written request for a hearing is filed and no hearing is held within 30 days thereafter, the order is rescinded. ... 23 10. Respondent violated Financial Code section 22112 and California Code of 24 Regulations, title 10, section 1422, by failing to maintain its surety bond. 25 NOW BASED ON THE FOREGOING, IT IS HEREBY ORDERED under Financial Code 26 section 22712, subdivision (a), that Builders Equity Fund LLC immediately desist and refrain from 27 further violating Financial Code section 22112 and California Code of Regulations, title 10, section 28 1422, by reinstating, continuing, or replacing its surety bond in compliance with Financial Code 2

DESIST AND REFRAIN ORDER

1	section 22112.	
2	This Order shall remain in full force and effect until further order of the Commissioner.	
3	Dated: November 17, 2020	
4	Los Angeles, CA	MANUEL P. ALVAREZ Commissioner of Financial Protection and Innovation
5		By
6		KATHRYN LEOU
7		Special Administrator California Financing Law
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	DESIST AND REFRAIN ORDER	