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11 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION  
12 OF THE STATE OF CALIFORNIA  
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14	In the Matter of:	)	CFL LICENSE NO.: 60DBO-62042
15	THE COMMISSIONER OF FINANCIAL	)	CITATION PURSUANT TO FINANCIAL CODE SECTION 22707.5
16	PROTECTION AND INNOVATION,	)	
17	Complainant,	)	
18	v.	)	
19	ARES PCS HOLDINGS, LLC,	)	
20	Respondent.	)	
21		)	

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24 Manuel P. Alvarez, the Commissioner of Financial Protection and Innovation  
25 (Commissioner), finds the following:

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I.

**FACTUAL BACKGROUND**

1. Ares PCS Holdings, LLC (APH) is a limited liability company with a principal place of business at 245 Park Avenue, 42<sup>nd</sup> Floor, New York, New York 10167.

2. APH is licensed as a finance lender under the California Financing Law (CFL), Fin. Code § 22000, *et seq.* with license number 60DBO-62042.

3. Section 22104, subdivision (a) of the CFL provides that a CFL licensee shall “maintain a net worth of at least twenty-five thousand dollars (\$25,000) at all times.”

4. On March 15, 2018, APH reported in its CFL Annual Report that it had a net worth of less than \$25,000 in violation of Financial Code section 22104, subdivision (a).

5. On March 14, 2019, APH reported in its CFL Annual Report that it had a net worth of less than \$25,000 in violation of Financial Code section 22104, subdivision (a).

6. On March 13, 2020, APH reported in its CFL Annual Report that it had a net worth of less than \$25,000 in violation of Financial Code section 22104, subdivision (a).

7. On June 3, 2021, APH confirmed to the Commissioner’s satisfaction that it is now in compliance with the net worth requirement of Section 22104, subdivision (a).

II.

**CITATION**

8. Financial Code section 22707.5, subdivision (a), provides in relevant part:

(a) If, upon inspection, examination, or investigation, the commissioner has cause to believe that a licensee or other person is violating any provision of this division or any rule or order thereunder, the commissioner or his or her designee, may issue a citation to the licensee or person in writing, describing with particularity the basis of the citation . . . In addition, each citation may assess an administrative fine not to exceed two thousand five hundred dollars (\$2,500) . . . .

Based on the foregoing, APH failed to maintain a minimum net-worth of \$25,000 at all relevant times in violation of Financial Code section 22104. The Commissioner hereby assesses APH an administrative fine of \$1,500.00 pursuant to Financial Code section 22707.5, subdivision (a).

1 APH is hereby ordered to pay the Commissioner an administrative fine of \$1,500.00 for the  
2 above citation within 30 days from the date of this citation. APH shall pay this fine with a cashier's  
3 check made payable to the "Department of Financial Protection and Innovation" and transmitted to  
4 the attention of "Accounting – Litigation" at Department of Financial Protection and Innovation,  
5 2101 Arena Boulevard, Sacramento, California 95834-2036. Notice of such payment shall be  
6 forwarded to: Taylor Herrlinger, Counsel, at Taylor.Herrlinger@dfpi.ca.gov.

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8 Dated: June 7, 2021  
9 Sacramento, California

MANUEL P. ALVAREZ  
Commissioner of Financial Protection and  
Innovation

10  
11 By: \_\_\_\_\_  
12 MARY ANN SMITH  
13 Deputy Commissioner  
14 Enforcement Division

