

1 STATE OF CALIFORNIA
2 BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
3 DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION

4 To: OC Home Entertainment.com
5 8534 Westminster Blvd.
6 Westminster, California 92683

7 CEASE AND DESIST ORDER
8 (For violations of Financial Code section 2030)

9 The Commissioner of Financial Protection and Innovation (Commissioner) finds that:

10 1. At all relevant times, OC Home Entertainment.com is or was a business of unknown
11 form with an address of 8534 Westminster Blvd., Westminster, California 92683.

12 2. The Commissioner has jurisdiction over the licensing and regulation of persons and
13 entities engaged in the business of money transmission in California under the Money Transmission
14 Act (Fin. Code, § 2000 *et seq.*).

15 3. The Money Transmission Act provides, “A person shall not engage in the business
16 of money transmission in this state, or advertise, solicit, or hold itself out as providing money
17 transmission in this state, unless the person is licensed or exempt from licensure . . . or is an agent
18 of a person licensed or exempted from licensure.” (Fin. Code, § 2030, subd. (a); see Cal. Code
19 Regs., Tit. 10, § 80.125.10.)

20 4. An “agent” of a licensee is a “person that is not itself licensed as a money transmitter
21 in California and provides money transmission in California on behalf of the licensee, provided that
22 the licensee becomes liable for the money transmission from the time money or monetary value is
23 received by that person.” (Fin. Code, § 2003, subd. (b); see Cal. Code Regs., Tit. 10, § 80.126.)

24 5. “Money transmission” includes “[r]eceiving money for transmission.” (Fin. Code, §
25 2003, subd. (q).) “Receiving money for transmission,” as defined by Financial Code section 2003,
26 subdivision (u), means actually or constructively receiving money “within or outside the United
27 States by electronic or other means.” (See Cal. Code Regs., Tit., 10 § 80.129.)
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1 6. On or about February 12, 2022, OC Home Entertainment.com unlawfully engaged
2 in the business of money transmission in California by receiving money, specifically \$3,000 in
3 cash, from a consumer in California for transmission to an individual in Vietnam.

4 7. OC Home Entertainment.com asks customers to fill out a “Remittance Form” with
5 the following information:

- 6 a. First and last name of sender
- 7 b. Address of sender
- 8 c. Phone number of sender
- 9 d. Amount to be transmitted
- 10 e. Form of payment [i.e., cash]
- 11 f. Name of receiver
- 12 g. Address of receiver
- 13 h. Receiver telephone number

14 Further, the OC Homes “Remittance Form” states “[f]or transfers of \$3000 or above, please
15 complete Customer Information Form.”

16 8. OC Home Entertainment.com has not been issued a license by the Commissioner
17 under the Money Transmission Act and is not authorized to engage in business as a money
18 transmitter in California. OC Home Entertainment.com is not exempt from the licensing
19 requirement of Financial Code section 2030, subdivision (a).

20 9. Financial Code section 567 provides, “If the Commissioner finds that a person has
21 conducted, or that there is reasonable cause to believe that a person is about to conduct, business
22 that requires a license issued by the commissioner and that person has not been issued the required
23 license, the commissioner may, without any prior notice or hearing, order the person to cease and
24 desist from conducting any unauthorized business unless and until the person is issued a license to
25 engage in appropriate license business.”

26 Based on the foregoing findings, the Commissioner is of the opinion that OC Home
27 Entertainment.com has engaged in the business of money transmission in California and advertised,
28 solicited, or held itself out as providing money transmission in California without first obtaining a

1 license or being an agent of a person licensed or exempted from licensure in violation of Financial
2 Code section 2030, subdivision (a).

3 Accordingly, pursuant to Financial Code section 567, OC Home Entertainment.com is hereby
4 ordered to cease and desist from engaging in the business of money transmission in California, and
5 advertising, soliciting or holding itself out as providing money transmission in California, unless and
6 until it obtains a license from the Commissioner or is an agent of a person licensed or exempt from
7 licensure.

8 This Order is necessary, in the public interest, for the protection of consumers and consistent
9 with the purposes, policies and provisions of the Money Transmission Act. This Order shall remain
10 in full force and effect until further order of the Commissioner.

11 Dated: June 15, 2022
12 San Francisco, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation

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14 By _____
15 Mary Ann Smith
16 Deputy Commissioner
17 Enforcement Division
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