

MARY ANN SMITH
Deputy Commissioner
Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
Los Angeles, California 90013

Attorney for Complainant

BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
OF THE STATE OF CALIFORNIA

In the Matter of:)	CFL LICENSE NO.: 6054390
)	
THE COMMISSIONER OF FINANCIAL)	
PROTECTION AND INNOVATION,)	
)	
Complainant,)	DESIST AND REFRAIN ORDER PURSUANT
)	TO FINANCIAL CODE SECTION 22712
v.)	
)	
MERITUS CAPITAL, INC.,)	
)	
)	
Respondent.)	
)	

TO: MERITUS CAPITAL, INC.
1751 RIVER RUN, SUITE 200
FORT WORTH, TEXAS 76107

Complainant, the Commissioner of Financial Protection and Innovation (Commissioner) finds that Meritus Capital, Inc. (Respondent) violated provisions of the California Financing Law (CFL) (Fin. Code, § 22000 et seq.) and applicable regulations and hereby issues the following Findings of Fact and Desist and Refrain Order:

I.

Findings of Fact

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

and the rules and regulations promulgated thereunder.

2. Respondent is a licensed finance lender/broker with a principal place of business at 1751 River Run Suite 200, Forth Worth, Texas 76107.

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

4. On or around January 27, 2022, the Commissioner received notice that Respondent's surety bond would expire on February 27, 2022.

5. On August 19, 2022 the Commissioner notified Respondent that the Commissioner would issue a Desist and Refrain Order under Financial Code section 22712, subdivision (a) if the surety bond was not reinstated, continued, or replaced by August 26, 2022.

6. Respondent's surety bond expired on February 27, 2022.

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

II.

Desist and Refrain Order

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

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

Whenever, in the opinion of the commissioner . . . any licensee violates any provision of this division, any provision of an order, or any regulation adopted pursuant to this division, the commissioner may order that person or licensee to desist and to refrain from engaging in the 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. . . .

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

NOW BASED ON THE FOREGOING, IT IS HEREBY ORDERED under Financial Code section 22712, subdivision (a), that Meritus Capital Inc. immediately desist and refrain from 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 section

22112.

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

Dated: November 18, 2022
Los Angeles, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
ADEOLA TANIMOJO
Special Administrator
California Financing Law