

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

4 TO: Dan Pham
5 Trinh Pham
6 Silver Financial Capital Inc. doing business as Cash America Today
7 1338 Foothill Drive #195
8 Salt Lake City, Utah 84108
9 www.cashamericatoday.com

10 DESIST AND REFRAIN ORDER
11 (For violations of Financial Code section 22100)

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

13 1. The Commissioner is authorized to pursue administrative actions and remedies against
14 persons who engage in violations of the California Financing Law (Cal. Fin. Code §§ 22000-
15 22780.1).

16 2. At all relevant times, Silver Financial Capital Inc. doing business as Cash America
17 Today (Silver Financial) is and was an entity incorporated on October 14, 2014, in Delaware with a
18 purported mailing address at 1338 Foothill Drive #195, Salt Lake City, Utah 84108.

19 3. At all relevant times, Dan Pham is and was the President of Silver Financial.

20 4. At all relevant times, Trinh Pham is and was the Director of Silver Financial.

21 5. Silver Financial maintained a website at www.cashamericatoday.com, on which Silver
22 Financial stated that it provides loans to consumers up to \$1000.

23 6. Silver Financial’s website claimed that the company is “registered with Utah’s
24 Department of Financial Institution to provide Consumer Credit” and that “[t]his service may or may
25 not be available in your particular state.”

26 7. Commencing as early as March 2022 and continuing to the present, Silver Financial
27 offered loans to California consumers through its public website.

28 8. In addition, in October 2022, at least one California resident was offered a loan by
Silver Financial over the telephone.

1 9. Financial Code section 22100(a) provides, “No person shall engage in the business of
2 a finance lender or broker without obtaining a license from the commissioner.”

3 10. Silver Financial has not been issued a license by the Commissioner authorizing it to
4 engage in the business of a finance lender and/or broker under the California Financing Law. Silver
5 Financial is not exempt from the licensing requirements of Financial Code section 22100.

6 11. Financial Code section 22712(a) provides in relevant part:

7
8 Whenever, in the opinion of the commissioner, any person is engaged in business as a
9 finance lender, broker . . . as defined in this division, without a license from the
10 commissioner . . . the commissioner may order that person . . . to desist and to refrain
11 from engaging in the business or further continuing that violation.

12 Based on the foregoing findings, the Commissioner is of the opinion that Dan Pham, Trinh
13 Pham, and Silver Financial Capital Inc. doing business as Cash America Today have engaged in the
14 business of a finance lender and/or broker without a license from the Commissioner in violation
15 of Financial Code section 22100.

16 Pursuant to Financial Code section 22712, Dan Pham, Trinh Pham, and Silver Financial
17 Capital Inc. doing business as Cash America Today, including their website
18 www.cashamericatoday.com, are hereby ordered to desist and refrain from engaging in the business
19 of a finance lender and/or broker in the State of California without first obtaining a license from the
20 Commissioner, or otherwise being exempt.

21 This Order is necessary, in the public interest, for the protection of consumers and is
22 consistent with the purposes, policies and provisions of the California Financing Law.

23 Dated: January 30, 2023
24 Sacramento, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



25 By _____
26 MARY ANN SMITH
27 Deputy Commissioner
28 Enforcement Division