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9
10 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
11 OF THE STATE OF CALIFORNIA

12 In the Matter of:)
13)
14 THE COMMISSIONER OF FINANCIAL) CFL LICENSE No.: 60DBO-72612
PROTECTION AND INNOVATION,)
15) **ACCUSATION IN SUPPORT OF ORDER**
Complainant.) **REVOKING LICENSE PURSUANT TO**
16) **FINANCIAL CODE SECTION 22714**
17 v.)
18)
WESTERN CAPITAL TECHNOLOGIES,)
19 LLC,)
20 Respondent.)
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28)

1 The Complainant, the Commissioner of Financial Protection and Innovation (Commissioner),
2 is informed and believes, and based upon such information and belief, alleges and charges as
3 follows:

4 **I.**

5 **Introduction**

6 1. The Commissioner has jurisdiction over the licensing and regulation of persons and
7 entities engaged in the business of finance lending or brokering under the California Financing Law
8 (CFL) (Cal. Fin. Code § 22000 et seq.)¹

9 2. Respondent WESTERN CAPITAL TECHNOLOGIES, LLC (Respondent) is a
10 California limited liability company with its principal place of business at 23193 La Cadena, Suite
11 102, Laguna Hills, California 92653. Respondent is licensed by the Commissioner under the CFL
12 with the license number 60DBO-72612.

13 **II.**

14 **Violation and Citation**

15 3. Under Section 22150, the Commissioner may make general rules and regulations and
16 specific rulings, demands, and findings for the enforcement of, and within the general purposes of,
17 the CFL.

18 4. Pursuant to a Commissioner’s Order on Electronic Communications, dated November
19 22, 2013, each CFL licensee must establish an email address for communications from the
20 Commissioner (Designated Email Address).

21 5. Under California Code of Regulations, Title 10, Section 1422.4, which went into
22 effect on October 1, 2021, all CFL licensees were required to transition to the Nationwide Multistate
23 Licensing System and Registry (NMLS) by December 31, 2021. On December 16, 2021,
24 Complainant extended the deadline to transition to NMLS to March 15, 2022. On March 7, 2022,
25 Complainant again extended the deadline to transition to NMLS to March 31, 2022.

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28 ¹ Cal. Fin. Code § 22000, *et seq.* All subsequent statutory references are to the California Financial Code unless otherwise specified.

1 6. Complainant provided notice of this requirement to Respondent – via email to the
2 Designated Email Address provided by each CFL licensee on July 20, 2021, September 16, 2021,
3 October 14, 2021, November 8, 2021 and December 16, 2021. Complainant also provided notice via
4 email to each CFL licensee that had not yet transitioned to NMLS, including Respondent, on March
5 7, 2022, and again via email and mail on March 28, 2022. Complainant provided further notice of
6 this requirement over the telephone – Complainant made at least two calls to the designated
7 telephone number provided by each CFL licensee, including Respondent – between February 1 and
8 March 15, 2022.

9 7. Complainant determined that Respondent was in violation of Regulation 1422.4 and
10 had not transitioned management of its CFL license to NMLS as of August 5, 2022. Accordingly,
11 Complainant issued a Citation on that date pursuant to Financial Code section 22707.5, subdivision
12 (a). The Citation included an order to correct the violation and an order to pay an administrative fine
13 in the amount of \$2,500.00 to the Commissioner by October 4, 2022.

14 8. Complainant served the Citation on Respondent via certified mail on August 5, 2022
15 and by electronic mail at Respondent’s Designated Email Address on October 28, 2022.

16 9. To date, Respondent has neither complied with the order to correct the violation by
17 transitioning its license to NMLS nor paid the administrative fine.

18 **III.**

19 **Applicable Law**

20 10. Subsection (a)(1) of Section 22714 provides that the Commissioner shall suspend or
21 revoke any CFL license, upon notice and reasonable opportunity to be heard, if the Commissioner
22 finds that the licensee has failed to comply with any demand, ruling, or requirement of the
23 commissioner made pursuant to and within the authority of this division.

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IV.

Prayer for Relief

WHEREFORE, IT IS PRAYED that

11. Pursuant to subsection (a)(1) of Section 22714, the California Financing Law license of Respondent WESTERN CAPITAL TECHNOLOGIES, LLC be revoked due to the lengthy duration of the violations identified above and Respondent’s failure to comply with the Citation.

Dated: April 17, 2023
Sacramento, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
Noah M. Bean
Senior Counsel
Enforcement Division