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

To: Hodge American Bank
<https://hodgeamericanonline.com/>
<https://hodgeamerica.com/>
<https://hodgegroups.com/>

AMENDED CEASE AND DESIST ORDER
(For violations of Financial Code section 560, 561, 562)

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

1. At all relevant times, Hodge American Bank is a business entity of unknown form that purports to have branches in Michigan and California.
2. At all relevant times, Hodge American Bank maintains websites at <https://hodgeamericanonline.com/>, <https://hodgeamerica.com/>, and at <https://hodgegroups.com/>. The “Contact Us” page of the websites invites consumers to contact the company by telephone or text at (407) 720-7404, or by email at support@hodgeamerican.com, support@hodgeamerica.com, and at support@hodgegroups.com
3. The Hodge American Bank websites advertise services normally offered by banks, such as checking accounts, savings accounts, online banking, and investment services.
4. The Hodge American Bank websites also include the following statements:
 - a. Under the “About Hodge American” tab, “Hodge American Bank offers a wide array of financial products including commercial banking, Small Business Administration loans, consumer loans, mortgages, home equity lines and loans, debit cards, credit cards, financial counseling, and insurance, all designed to fit our customers' lives and help them reach their financial goals.”
 - b. Under the “Business” tab, “Ideal for a growing business with basic banking needs.”

1 c. On the Home page, “Equal Opportunity Lender. Equal Housing Lender – we do
2 business in accordance with the Fair Housing Act and Equal Credit Opportunity Act.
3 NMLS #471976.”

4 5. The Hodge American Bank websites list an NMLS number in a manner suggesting
5 that the number is Hodge American Bank’s NMLS Unique Identifier. However, the NMLS number
6 provided does not exist and has not been assigned my NMLS.

7 6. The Commissioner has jurisdiction over banking and is responsible for enforcing
8 provisions of the Financial Code, commencing at section 550 and following.

9 7. Financial Code section 560 provides: “No person who has not received a certificate
10 from the commissioner authorizing it to engage in the banking business shall solicit or receive
11 deposits, issue certificate of deposits with or without provision for interest, make payments on
12 checks, or transact business in the way or manner of a bank or trust company.”

13 8. Financial Code section 561 provides: “No person who has not received a certificate
14 from the commissioner authorizing it to engage in the banking business shall . . . make use of or
15 circulate any letterheads, billheads, blank notes, blank receipts, certificates, or circulars, or any
16 written or printed paper, whatever, having thereon any artificial or corporate name or other words
17 indicating that the business is the business of a bank or trust company, or transact business in a way
18 or manner as to lead the public to believe that its business is that of a bank or trust company, except
19 to the extent expressly authorized by this division.”

20 9. Financial Code section 562 provides: “No person who has not received a certificate
21 from the commissioner authorizing it to engage in the banking business shall transact business
22 under any name or title that contains the word ‘bank’ or ‘banker’ or ‘banking’ . . . or act or advertise
23 in any manner that indicates that the business is the business of a bank”

24 10. The Commissioner has not issued Hodge American Bank a certificate authorizing it
25 to engage in the banking business in this state or to transact business under any name or title that
26 contains the words “bank.”

27 11. Pursuant to Financial Code section 567, “If the commissioner finds that a person has
28 conducted, or that there is reasonable cause to believe that a person is about to conduct, business

1 that requires a license issued by the commissioner and that person has not been issued the required
2 license, the commissioner may, without any prior notice or hearing, order the person to cease and
3 desist from conducting any unauthorized business unless and until the person is issued a license to
4 engage in appropriate license business.”

5 Based on the foregoing findings, the Commissioner is of the opinion that Hodge American
6 Bank has engaged in the business of soliciting or receiving deposits or transacted business in the
7 way or manner of a bank, without first obtaining a certificate from the Commissioner authorizing it
8 to engage in the banking business in this state, in violation of Financial Code section 560.

9 The Commissioner is further of the opinion that Hodge American Bank has made use of or
10 circulated written words indicating that its business is the business of a bank, or has transacted
11 business in a way or manner as to lead the public to believe that its business is that of a bank,
12 without first obtaining a certificate from the Commissioner authorizing it to engage in the banking
13 business in this state, in violation of Financial Code section 561.

14 The Commissioner is further of the opinion that Hodge American Bank transacted business
15 under a name that contains the word “bank” or acted or advertised in a manner that indicates its
16 business is the business of a bank, without first obtaining a certificate from the Commissioner
17 authorizing it to engage in the banking business in this state, in violation of Financial Code section
18 562.

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Pursuant to Finance Code section 567, Hodge American Bank is hereby ordered to cease and desist from engaging in the business of soliciting or receiving deposits or transacting business in the way or manner of a bank and/or making use of or circulating written words indicating that its business is the business of a bank, or transacting business in a way or manner as to lead the public to believe that its business is that of a bank, and/or transacting business under a name that contains the word “bank” or acting or advertising in a manner that indicates that its business is the business of a bank, without first obtaining a certificate from the Commissioner authorizing it to engage in the banking business in this state, or otherwise being exempt.

This Order is necessary, in the public interest, for the protection of consumers and consistent with the purposes, policies and provision of the California Financial Institutions Law.

Dated: July 3, 2023
Sacramento, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division