

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

4 TO: McBen Solutions LLC
5 Landry Mbendeke
6 800 Third Avenue, #1127
7 New York, NY 10022

8 **DESIST AND REFRAIN ORDER**
9 **(For violations of Financial Code section 22100)**

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

11 1. The Commissioner is authorized to pursue administrative actions and remedies against
12 persons who engage in violations of the California Financing Law (Financial Code § 22000, et seq.).

13 2. At all relevant times, McBen Solutions LLC (McBen) is and was a New York limited
14 liability company using the business address 800 Third Avenue #1127, New York, NY 10022.

15 McBen is not licensed as a finance lender or broker with the Department of Financial Protection and
16 Innovation.

17 3. At all relevant times, Landry Mbendeke held himself out as the CEO of McBen, was
18 the contact person for McBen, and oversaw McBen’s loan application process.

19 4. Beginning in at least 2022, McBen engaged in the business of a finance lender and/or
20 broker in California by soliciting a loan application from, and entering into a loan agreement with, at
21 least one prospective borrower in California.

22 5. In or around August 2022, Mbendeke called the prospective borrower, representing
23 that McBen was a lender that offers loans to real estate investors. Based on this representation, the
24 prospective borrower applied for a loan of \$137,500 with a 20-year repayment term.

25 6. Mbendeke informed the borrower that as a prerequisite to issuing the loan funds, the
26 borrower would have to pay an advanced fee of \$1,375 via CashApp to cover loan insurance. The
27 borrower made the payment.

28 7. After the borrower paid the advanced fee, Mbendeke told the borrower McBen was
unable to fund the loan through its domestic bank account, and instead would have to fund it from an

1 international bank account. Mbendeke said the borrower would need to cover additional fees charged
2 by the international bank before McBen would disburse the loan.

3 8. The borrower refused to pay any additional fees and demanded a refund of the \$1,375
4 advanced payment without success. To date, the borrower has not received the loan funds or a refund
5 of the advanced fee.

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

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

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

12
13 Whenever, in the opinion of the commissioner, any person is engaged in business as a
14 finance lender, broker . . . as defined in this division, without a license from the
15 commissioner . . . the commissioner may order that person . . . to desist and to refrain
16 from engaging in the business or further continuing that violation.

17 Based on the foregoing findings, the Commissioner is of the opinion that McBen Solutions
18 and Landry Mbendeke have engaged in the business of a finance lender and/or broker without a
19 license from the Commissioner in violation of Financia Code section 22100.

20 Pursuant to Financial Code section 22712, McBen Solutions and Landry Mbendeke are
21 hereby ordered to desist and refrain from engaging in the business of finance lender and/or broker in
22 the State of California without first obtaining a license from the Commissioner, or otherwise being
23 exempt.

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

Dated: October 26, 2023
Los Angeles, California

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division