PRESTON DUFAUCHARD
California Corporations Commissioner
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Department of Corporations
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Attorneys for Complainant

BEFORE THE DEPARTMENT OF CORPORATIONS

OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of THE CALIFORNIA CORPORATIONS COMMISSIONER, Complainant, vs. ZIPPY'S CURRENCY X-CHANGE, INC. DBA POWER CHECK CASHING PAYDAY ADVANCE Respondent.	Case No.: 100-2684 100-2685 ACCUSATION

The Complainant is informed and believes, and based upon such information and belief, alleges and charges Respondent as follows:

I

Respondent Zippy's Currency X-Change, Inc. dba Power Check Cashing Payday Advance ("Zippy's") is a deferred deposit transaction originator licensed by the California Corporations Commissioner ("Commissioner") pursuant to the California Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.) ("CDDTL"). Zippy's is licensed as a corporation authorized to conduct business in this state with its principal place of business at 18016 S. Western Avenue, Gardena, CA 90248. Zippy's holds a license for an additional business location at 600 W. Sepulveda Boulevard, Carson, CA 90745.

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II

Pursuant to California Financial Code section 23046 (a), all CDDTL licensees may be examined by the Commissioner or the Commissioner's representatives at any time, but not less than once every two years. Pursuant to California Financial Code section 23046 (b), each licensee is required to pay for the costs of the examination. On or about November 8, 2008, an examination of Zippy's was commenced. On or about February 17, 2010, the Department of Corporations ("Department") sent Invoice Numbers 50656 and 50657 in the amounts of $1,922.32 and $870, respectively, to Zippy's for the costs of the examination, with payment due upon receipt of the invoices. The Department sent letters dated April 15, 2010 and May 15, 2010 informing Zippy's that Invoice Numbers 50656 and 50657 in the amounts of $1,922.32 and $870 were unpaid and that failure to pay the invoices could result in a claim filed against the surety bond and suspension or revocation of the licenses. On or about June 17, 2010, the Commissioner notified Zippy's by certified mail, return receipt requested that failure to pay the outstanding invoices within ten (10) business days of the date of the letter would result in collection being pursued through the administrative process, which may include filing a claim against the surety bond and an action to revoke the licenses. The notification was delivered to Zippy's on or about June 18, 2010. On August 5, 2010, Zippy's was notified by E-Mail that invoice numbers 50656 and 50657 in the amounts of $1,922.32 and $870 needed to be paid immediately in order to avoid an action to suspend or revoke the licenses. Zippy's has not paid the invoices in the amounts of $1,922.32 and $870.

III

California Financial Code section 23046 provides in pertinent part:

> (a) For the purpose of discovering violations of this division or securing information required by the commissioner in the administration and enforcement of this division, the commissioner may at any time, but not less than once every two years, investigate the business of deferred deposits, and examine the books, accounts, records, and files used in the business of deferred deposit transactions, of every person engaged in the business of deferred deposit transactions, whether the person acts or claims to act as a principal or an agent, or under or without the authority of this division. For the purpose of examination, the commissioner and the commissioner's representatives shall have free access to the offices and places of business, books, accounts, papers, records, files, safes, and vaults of all these persons.

(b) The cost of each examination of a licensee or a person subject to this division shall be paid to the commissioner by the licensee or person examined, and the commissioner may maintain an action for the recovery of the cost in any court of competent jurisdiction. In determining the cost of an examination, the commissioner may use the estimated average hourly cost for all persons performing examinations of licensees or other persons subject to this division for the fiscal year.

California Financial Code section 23052 provides in pertinent part:

The commissioner may suspend or revoke any license, upon notice and reasonable opportunity to be heard, if the commissioner finds any of the following:

(a) The licensee has failed to comply with any demand, ruling, or requirement of the commissioner made pursuant to and within the authority of this division.

(b) The licensee has violated any provision of this division or any rule or regulation made by the commissioner under and within the authority of this division.

(c) A fact or condition exists that, if it had existed at the time of the original application for the license, reasonably would have warranted the commissioner in refusing to issue the license originally.

IV

The Commissioner finds that, by reason of the foregoing, Zippy's Currency X-Change, Inc. dba Power Check Cashing Payday Advance has violated California Financial Code section 23046, and based thereon, grounds exist to revoke the deferred deposit transaction licenses of Zippy's Currency X-Change, Inc. dba Power Check Cashing Payday Advance.

WHEREFORE, IT IS PRAYED that the deferred deposit transaction licenses of Zippy's Currency X-Change, Inc. dba Power Check Cashing Payday Advance be revoked.

Los Angeles, California
Dated: September 3, 2010

PRESTON DuFAUCHARD
California Corporations Commissioner

By_____
Steven C. Thompson
Special Administrator

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