State of California – Department of Corporations

STATE OF CALIFORNIA

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

DEPARTMENT OF CORPORATIONS

TO: JOSE CARMEN CORDOVA and GUADALUPE CORDOVA
DBA SPEED CHECK CASHING
12226 W. La Mirada Blvd.
La Mirada, CA 90638

AMENDED
CITATIONS
AND
DESIST AND REFRAIN ORDER

(Pursuant to California Financial Code Sections 23050 and 23058)
(For violations of California Financial Code sections 23005 and 23020)

The California Corporations Commissioner finds that:

1. Jose Carmen Cordova and Guadalupe Cordova doing business as Speed Check Cashing ("Speed Check") is and was at all relevant times herein conducting business as individuals with their principal place of business located at 12226 W. La Mirada Blvd., La Mirada, CA 90638.

2. Pursuant to California Code sections 23005, any person engaged in the business of deferred deposit transactions is required to have a license issued by the Commissioner of Corporation under the California Deferred Deposit Transaction Law.

3. Speed Check engaged in the business of deferred deposit transactions by originating at least 276 deferred deposit transactions totaling $75,615 commencing on or about October 31, 2006 and continuing through January 11, 2007 at 12226 W. La Mirada Blvd., La Mirada, CA 90638. Speed Check engaged in the business of deferred deposit transactions by originating 149 deferred deposit transactions totaling $39,916.50 from October 29, 2007 to February 28, 2008 at 1204 S. Greenwood Avenue, Montebello, CA 90640.

4. An examination of Check By Check conducted by the Commissioner on or about November 13, 2008 disclosed that Speed Check was engaging in the business of deferred deposit transactions as an originator at 12226 W. La Mirada Blvd., La Mirada, CA 90638 from at least October 31, 2006 and continuing through January 11, 2007 and was engaging in the business of deferred deposit transactions as an originator at 1204 S. Greenwood Avenue, Montebello, CA 90640 from at least October 29, 2007 and continuing through February 28, 2008. A deferred deposit transaction is a written transaction whereby one person gives funds to another person upon receipt of a personal check and it is agreed that the personal check shall not be deposited until a later date.

6. Speed Check had not been issued a license by the Commissioner authorizing it to engage in the business of deferred deposit transactions under the California Deferred Deposit Transaction Law (California Financial Code §§ 23000 et. seq.) at 12226 W. La Mirada Blvd., La Mirada, CA 90638 during the period from October 31, 2006 and continuing through January 11, 2007 and had not been issued a license by the Commissioner authorizing it to engage in the business of deferred deposit transaction business at 1204 S. Greenwood Avenue, Montebello, CA 90640 from at least October 29, 2007 and continuing through February 28, 2008..

7. Speed Check was not exempt from the licensing requirements of Financial Code section 23005 for the locations at 12226 W. La Mirada Blvd., La Mirada, CA 90638 and 1204 S. Greenwood Avenue, Montebello, CA 90640.

8. Subsequently, on January 12, 2007, Speed Check was issued a license by the Commissioner of Corporations to engage in the business of deferred deposit transactions under the California Deferred Deposit Transaction Law at 12226 W. La Mirada Blvd., La Mirada, CA 90638 and on February 29, 2008 was issued a license by the Commissioner of Corporations to engage in

the business of deferred deposit transactions under the California Deferred Deposit Transaction Law at 1204 S. Greenwood Avenue, Montebello, CA 90640.

By reason of the foregoing, Speed Check engaged in the business of deferred deposit transactions from at least October 31, 2006 and continuing through January 11, 2007 at 12226 W. La Mirada Blvd., La Mirada, CA 90638 and from at least October 29, 2007 and continuing through February 28, 2008 at 1204 S. Greenwood Avenue, Montebello, CA 90640 without having first obtained licenses for these locations from the Commissioner in violation of California Financial Code sections 23005.

Pursuant to California Financial Code section 23058, Speed Check is hereby ordered to pay to the Commissioner an administrative penalty in the amount of ONE THOUSAND FIVE HUNDRED DOLLARS ($1,500) for two citations each in the amount of Seven Hundred Fifty dollars ($750).

Pursuant to California Financial Code section 23050, Speed Check is hereby ordered to desist and refrain from engaging in the business of deferred deposit transactions in the State of California without first obtaining a license from the Commissioner under the California Deferred Deposit Transaction Law.

These Citations and Order are necessary, in the public interest, for the protection of consumers and is consistent with the purposes, policies and provisions of the California Deferred Deposit Transaction Law. These Citations and Order shall remain in full force and effect until further order of the Commissioner.

California Financial Code section 23058 provides, in relevant part:

> (a) If, upon inspection, examination or investigation, based upon a complaint or otherwise, the department has cause to believe that a person is engaged in the business of deferred deposit transactions without a license, . . . the department may issue a citation to that person in writing, describing

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> with particularity the basis of the citation. Each citation may contain an order to desist and refrain and an assessment of an administrative penalty not to exceed two thousand five hundred dollars ($2,500) . . . .
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> . . .
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> (c) If within 30 days from the receipt of the citation of the person cited fails to notify the department that the person intends to request a hearing as described in subdivision (d), the citation shall be deemed final.
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> (d) Any hearing held under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code . . . .

California Financial Code section 23050 provides:

> Whenever, in the opinion of the commissioner, any person is engaged in the business of deferred deposit transactions, as defined in this division, without a license from the commissioner, or any licensee is violating any provision of this division, the commissioner may order that person or licensee to desist and to refrain from engaging in the business or further violating this division. If, within 30 days, after the order is served, a written request for a hearing is filed and no hearing is held within 30 days thereafter, the order is rescinded.

Dated: June 7, 2010
Los Angeles, CA

Preston DuFauchard
California Corporations Commissioner

By_____
Steven C. Thompson
Special Administrator
California Deferred Deposit Transaction Law