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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: ANYDAY’S PAYDAY AND LOAN 34309 Yucaipa Boulevard Yucaipa, California 92399	GEORGE STARKEY 34309 Yucaipa Boulevard Yucaipa, California 92399
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DESIST AND REFRAIN ORDER
(For violations of California Financial Code section 23005)

The California Corporations Commissioner finds that:

1. The California Corporations Commissioner (“Commissioner”) is informed and believes and based upon such information and belief alleges that Anyday’s Payday and Loan (“Anyday’s”) is, and was at all relevant times herein, a sole proprietorship, with its principal place of business located at 34309 Yucaipa Boulevard, Yucaipa, California 92399.
2. George Starkey (“Starkey”) is, and was at all times relevant herein, the owner of Anyday’s.
3. Anyday’s and Starkey have engaged in the business of deferred deposit transactions by originating deferred deposit transactions as described below.
4. An examination of Anyday’s conducted by the Commissioner in May 2005 disclosed that Anyday’s and Starkey had originated at least 143 deferred deposit transactions. The examination further disclosed that Anyday’s and Starkey had been engaged in originating deferred deposit transactions since at least January 1, 2005 through at least May 16, 2005.
5. 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. Neither Anyday’s nor Starkey has 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 (“CDDTL”) (California Financial Code §§ 23000 et seq.).

1 7. Neither Anyday’s nor Starkey is exempt from the licensing requirements of
2 California Financial Code section 23005.

3 8. Anyday’s and Starkey were specifically aware that a CDDTL license was required
4 in order to engage in the business of deferred deposit transactions as Anyday’s had applied for a
5 CDDTL license from the Commissioner on May 15, 2003. A CDDTL license was never issued
6 to Anyday’s as it never responded to the deficiency letter issued by the Commissioner on
7 December 29, 2004. The December 29, 2004 letter specifically informed Anyday’s that it could
8 not engage in the business of deferred deposit transactions unless and until it obtained a CDDTL
9 license from the Commissioner. On April 7, 2005, Anyday’s was notified in writing by the
10 Commissioner that its CDDTL license application was considered withdrawn for failure to
11 respond to the deficiency letter.

12 By reason of the foregoing, Anyday’s and Starkey have engaged in the business of
13 deferred deposit transactions without having first obtained a license from the Commissioner in
14 violation of California Financial Code section 23005.

15 Pursuant to California Financial Code section 23050, Anyday’s and Starkey are hereby
16 ordered to desist and refrain from engaging in the business of deferred deposit transactions in the
17 State of California without first obtaining a license from the Commissioner, or otherwise being
18 exempt. This Order is necessary, in the public interest, for the protection of consumers and is
19 consistent with the purposes, policies and provisions of the California Deferred Deposit
20 Transaction Law. This order shall remain in full force and effect until further order of the
21 Commissioner.

22 California Financial Code section 23050 provides in pertinent part:

23 Whenever, in the opinion of the commissioner, any person is engaged in the
24 business of deferred deposit transactions, as defined in this division, without
25 a license from the commissioner . . . the commissioner may order that person
26 or licensee to desist and to refrain from engaging in the business If, within
27 30 days, after the order is served, a written request for a hearing is filed and no
28 hearing is held within 30 days thereafter, the order is rescinded.

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Dated: June 2, 2005
Los Angeles, CA

WAYNE STRUMPFER
Acting Corporations Commissioner

By _____
Steven C. Thompson
Special Administrator
California Deferred Deposit Transaction Law