

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

TO: SUMMERFIELD VENTURES, INC. DBA PAY CHECK ADVANCE
PAUL SUMMERFIELD
361 Railroad Canyon Road, Suite B
Lake Elsinore, California 92532

636 N. Main Street
Corona, California 92880

DESIST AND REFRAIN ORDER
(For violations of California Financial Code section 23005)

The California Corporations Commissioner finds that:

1. Summerfield Ventures, Inc. dba Pay Check Advance (“Pay Check Advance”) is, and was at all relevant times herein, a California corporation, with its principal place of business located at 361 Railroad Canyon Road, Suite B, Lake Elsinore, California 92532. Pay Check has a branch located at 636 N. Main Street, Corona, California 92880.

2. Paul Summerfield (“Summerfield”) is, and was at all times relevant herein, the president of Pay Check Advance.

3. Pay Check Advance and Summerfield have engaged in the business of deferred deposit transactions by originating deferred deposit transactions as described below.

4. An examination of Pay Check Advance conducted by the Commissioner in July 2005 disclosed that Pay Check Advance and Summerfield have been originating deferred deposit transactions since January 1, 2005 through at least July 13, 2005. The number of deferred deposit transactions that Pay Check Advance and Summerfield originated since January 1, 2005 is unknown as Pay Check Advance has not provided that information despite a written demand from the Commissioner.

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.

1 6. Neither Pay Check Advance nor Summerfield has been issued a license by the
2 Commissioner authorizing it to engage in the business of deferred deposit transactions under the
3 California Deferred Deposit Transaction Law (“CDDTL”) (California Financial Code §§ 23000
4 et seq.).

5 7. Neither Pay Check Advance nor Summerfield is exempt from the licensing
6 requirements of California Financial Code section 23005.

7 8. Pay Check Advance and Summerfield were specifically aware that a CDDTL
8 license was required in order to engage in the business of deferred deposit transactions as Pay
9 Check Advance had received a written notice to this effect from the Commissioner on or about
10 February 8, 2005. Moreover, Pay Check Advance had applied for a CDDTL license for the Lake
11 Elsinore location from the Commissioner on or about March 11, 2005.

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

15 Pursuant to California Financial Code section 23050, Pay Check Advance and
16 Summerfield are hereby ordered to desist and refrain from engaging in the business of deferred
17 deposit transactions in the State of California without first obtaining a license from the
18 Commissioner, or otherwise being exempt.

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

23 California Financial Code section 23050 provides:

24 Whenever, in the opinion of the commissioner, any person is engaged in the
25 business of deferred deposit transactions, as defined in this division, without
26 a license from the commissioner, or any licensee is violating any provision
27 of this division, the commissioner may order that person or licensee to desist
28 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: August 3, 2005
Los Angeles, CA

WAYNE STRUMPFER
Acting California Corporations Commissioner

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