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9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

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12 In the Matter of the Accusation of THE
13 CALIFORNIA CORPORATIONS
COMMISSIONER,

) File No.: 413-0411

13

) **ACCUSATION**

14

Complainant,

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v.

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17 GREATER ACCEPTANCE MORTGAGE
CORP., DBA TRANSACT CARD-BECAUSE
18 YOU ARE BUSIER THAN EVER,

19

Respondent.

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

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I.

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25 Respondent Greater Acceptance Mortgage, dba Transact Card-Because You Are Busier Than
26 Ever ("Greater Acceptance") is a residential mortgage lender licensed by the California Corporations
27 Commissioner ("Commissioner") pursuant to the California Residential Mortgage Lending Act
28 (California Financial Code, § 50000 et seq.) ("CRMLA"). Greater Acceptance has its principal place
of business located at 3 San Joaquin Hills Road, Suite 195, Newport Beach, California 92660.

II.

Pursuant to California Financial Code sections 50307 and 50401, all licensees under the CRMLA are required to file an annual Report of Principal Amount of Loans and Aggregate Amount of Loans Serviced ("Activity Report") on or before March 1st of each year for the preceding 12-month period ended December 31.

On or about January 19, 2007, an Activity Report form was sent to all CRMLA licensees with a notice that the Activity Report was due on or before March 1, 2007. Greater Acceptance has yet to submit the Activity Report to the Commissioner despite the fact that the Commissioner has sent it numerous reminders.

On or about May 7, 2007, a letter was sent to Greater Acceptance demanding that the Activity Report be filed no later than May 17, 2007, and assessing Greater Acceptance a penalty of \$1,000.00, pursuant to California Financial Code section 50326. Greater Acceptance was notified in the letter that failure to file the Activity Report and/or pay the penalty by May 17, 2007 would result in an action to either suspend or revoke its license.

On or about June 27, 2007, a further letter was sent to Greater Acceptance demanding that it submit its Activity Report and pay the penalty assessed on May 7, 2007 no later than July 7, 2007 and again notifying Greater Acceptance that failure to file the Activity Report and/or pay the penalty by July 7, 2007 would result in an action to either suspend or revoke its license pursuant to California Financial Code section 50327.

Greater Acceptance has yet to submit the Activity Report or pay the penalty as required by California Financial Code sections 50307, 50326, and 50401.

III.

Pursuant to California Financial Code sections 50200, subdivision (a), Greater Acceptance was required to submit its audited financial statement for its fiscal year ended December 31, 2006 ("Audit Report") to the Commissioner on or before April 15, 2007, including a reconciliation of its trust accounts. In addition, pursuant to the California Code of Regulations, title 10, section 1950.200, Greater Acceptance was required to submit an Independent Auditor's Report on Internal Controls ("Report on Internal Controls") to the Commissioner on or before April 15, 2007. Greater

1 Acceptance has yet to file its Audit Report, trust account reconciliation, or Report on Internal
2 Controls with the Commissioner despite having been sent numerous reminder letters.

3 On or about December 11, 2006, the Complainant notified Greater Acceptance in writing that
4 its Audit Report, trust account reconciliation, and Report on Internal Controls were due on or before
5 April 15, 2007. Greater Acceptance failed to submit the Audit Report, trust account reconciliation,
6 Report on Internal Controls by April 15, 2007.

7 On or about June 13, 2007, a further letter was sent to Greater Acceptance demanding that it
8 file the Audit Report, trust account reconciliation, and Report on Internal Controls no later than June
9 23, 2007. Greater Acceptance failed to submit the Audit Report, trust account reconciliation, and
10 Report on Internal Controls or respond to the letter.

11 On or about August 2, 2007, a final letter was sent to Greater Acceptance demanding that the
12 Audit Report, trust account reconciliation, and Report on Internal Controls be filed no later than
13 August 12, 2007, and assessing Greater Acceptance a penalty of \$1,000.00 pursuant to California
14 Financial Code section 50326. Greater Acceptance was notified in the letter that its failure to file the
15 Audit Report, trust account reconciliation, Report on Internal Controls and/or pay the penalty by
16 August 12, 2007 would result in an action to either suspend or revoke its license.

17 Greater Acceptance has yet to file its Audit Report, trust account reconciliation, Report on
18 Internal Controls, and pay the penalty as required by Financial Code sections 50200, subdivision (a),
19 50326, and title 10, section 1950.200 of the California Code of Regulations.

20 **IV.**

21 California Financial Code section 50327 provides in pertinent part:

- 22 (a) The commissioner may, after notice and a reasonable opportunity to be
23 heard, suspend or revoke any license if the commissioner finds that: (1) the
24 licensee has violated any provision of this division or any rule or order of the
25 commissioner thereunder; or (2) any fact or condition exists that, if it had
26 existed at the time of the original application for license, reasonably would
27 have warranted the commissioner in refusing to issue the license originally.

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V.

The Commissioner finds that, by reason of the foregoing, Greater Acceptance Mortgage Corp., dba Transact Card-Because You Are Busier Than Ever, has violated California Financial Code sections 50200, subdivision (a), 50307, 50326, 50401 and California Code of Regulations, title 10, section 1950.200 and based thereon, grounds exist to revoke the residential mortgage lender license of Greater Acceptance Mortgage Corp., dba Transact Card-Because You Are Busier Than Ever.

WHEREFORE, IT IS PRAYED that the residential mortgage lender license of Greater Acceptance Mortgage Corp., dba Transact Card-Because You Are Busier Than Ever, be revoked and pursuant to California Financial Code section 50311, Greater Acceptance Mortgage Corp., dba Transact Card-Because You Are Busier Than Ever, be given a transition period of sixty (60) days within which to complete any loans for which it had commitments.

DATED: September 7, 2007
Los Angeles, CA

PRESTON DuFAUCHARD
California Corporations Commissioner

By _____
Blaine A. Noblett
Corporations Counsel