PRESTON DUFAUCHARD
California Corporations Commissioner
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Department of Corporations
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BEFORE THE DEPARTMENT OF CORPORATIONS

OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of THE CALIFORNIA CORPORATIONS COMMISSIONER, Complainant, vs. INSTANT FINANCE CORPORATION Respondent.	Case No.: 100-3417 ACCUSATION

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

I

Respondent Instant Finance Corporation 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"). Instant Finance Corporation is licensed as a corporation authorized to conduct business in this state with its principal place of business at 9030 Sierra Ave., Fontana, CA 92335.

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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 19, 2008, an examination of Instant Finance Corporation was commenced. On or about May 22, 2009, the Department of Corporations ("Department") sent Invoice Number 48563 in the amount of $966.36 to Instant Finance Corporation for the costs of the examination, with payment due upon receipt of the invoice. The Department sent letters dated June 23, 2009 and August 17, 2009 informing Instant Finance Corporation that Invoice Number 48563 in the amount of $966.36 was unpaid and that failure to pay the invoice could result in a claim filed against the surety bond and suspension or revocation of the license. On or about October 21, 2009, the Commissioner notified Instant Finance Corporation by certified mail, return receipt requested that failure to pay the outstanding invoice 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 license. The notification was delivered to Instant Finance Corporation on or about October 23, 2009. Instant Finance Corporation has not paid the invoice in the amount of $966.36.

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, Instant Finance Corporation has violated California Financial Code section 23046, and based thereon, grounds exist to revoke the deferred deposit transaction license of Instant Finance Corporation..

WHEREFORE, IT IS PRAYED that the deferred deposit transaction license of Instant Finance Corporation be revoked.

Los Angeles, California
Dated: December 22, 2009

PRESTON DuFAUCHARD
California Corporations Commissioner

By_____
Steven C. Thompson
Special Administrator