

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: Speedy Cash  
3527 North Ridge Rd.  
Wichita, Kansas 67205

**DESIST AND REFRAIN ORDER**

(For violations of California Financial Code Section 23036)

The California Corporations Commissioner finds that:

1. The California Corporations Commissioner (“Commissioner”), of the Department of Corporations (“Department”), is responsible for enforcing the California Deferred Deposit Transaction Law (“CDDTL”), Cal. Fin. Code § 23000 *et seq.*

2. Speedy Cash was issued a CDDTL license on December 31, 2004.

3. On June 9, 2008 the Department conducted a regulatory examination of Speedy Cash.

The examination revealed violations of the CDDTL.

4. The Department found that Speedy Cash collected excess bank fees of \$106,614 from 5,291 customers in 9,150 transactions, collected \$14,812 in excess of the loan agreements from 65 customers and collected non-sufficient fund fees of \$1,385 from 76 customers in 80 transactions.

5. California Financial Code section 23036(e) provides:

A fee not to exceed fifteen dollars (\$15) may be charged for the return of a dishonored check by a depository institution in a deferred deposit transaction. A single fee charged pursuant to this subdivision is the exclusive charge for a dishonored check. No fee may be added for late payment.

6. California Financial Code section 23036(f) provides:

No amount in excess of the amounts authorized by this section shall be directly or indirectly charged by a licensee pursuant to the deferred deposit transaction.

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

7. California Financial Code section 23050 provides, in pertinent part:

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.

8. Pursuant to Financial Code section 23050 Speedy Cash is hereby ordered to desist and refrain from further violating Financial Code sections 23036(e) and 23036(f).

9. The Desist and Refrain order is necessary for the protection of consumers and consistent with the purposes, policies and provisions of the CDDTL. This Order shall remain in full force and effect until further order of the Commissioner.

Dated: October 30, 2008  
Los Angeles, California

PRESTON DuFAUCHARD  
California Corporations Commissioner

By: \_\_\_\_\_  
ALAN S. WEINGER  
Acting Deputy Commissioner  
Enforcement Division