DEPARTMENT OF BUSINESS OVERSIGHT

Ensuring a Fair and Secure Financial Services Marketplace for all Californians

Jan Lynn Owen
Commissioner of Business Oversight

September 15, 2014

In July 2014, the California Department of Business Oversight (DBO) requested DBO-licensed deferred deposit originators (commonly referred to as "payday lenders") to submit the 2014 *California Deferred Deposit Transaction Law Industry Survey* (Survey). The Survey is required in accordance with Financial Code Section 23015.

The purpose of the Survey was for the DBO to gather current activity data on transaction activities of licensees and potential consumer risks in order to assess the fiscal health and compliance practices of California's deferred deposit originator industry. The Survey collected 2013 information on payday lender issues and activities related to the following:

- Transactions per Customer
- Customers' Income
- Internet Transactions
- Lead Generators
- Military Customers
- Payments to Customers
- Repayment from Customers
- Collections
- Customer Complaints
- Independent Agents

Responses by the licensees to the Survey have been consolidated into a Summary Report and shall remain confidential under Government Code Section 6254(d). The Summary Report has been included with this letter for your convenience and can also be found on the DBO website under "Publications." If you have questions or comments about the Summary Report, please contact Patty Salazar, Deputy Commissioner of Public Affairs, at (916) 322-8899 or Patty.Salazar@dbo.ca.gov.

Jan Lynn Owen
Commissioner
Department of Business Oversight

2014

Summary Report:
California Deferred Deposit Transaction Law - Industry Survey

California Department of Business Oversight

STATE OF CALIFORNIA
EDMUND G. BROWN JR., Governor

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT

JAN LYNN OWEN
CALIFORNIA COMMISSIONER of BUSINESS OVERSIGHT

Financial Services Office
California Deferred Deposit Transaction Law

Kathleen Partin, Deputy Commissioner
Frankie B. Hornick, Special Administrator

Contents

Introduction 5
Deferred Deposit Transaction Volumes per Customer 6
Active Military Customers 6
Customers' Age and Income 7
Internet Transactions and Lead Generators 8
Disbursements to Customers 10
Payment from Customers 11
Collections 12
Customer Complaints 13
Independent Agents 13
Additional Comments 13
Attachment A – Survey 14

Introduction

The *California Deferred Deposit Transaction Law – 2014 Industry Survey* (Survey) was administered to all California licensed Deferred Deposit Originators (commonly known as payday lenders) in July of 2014. The response rate was 78%, with 273 licensees reporting.

Licensees were asked to provide information from January to December 2013[1]. The purpose of the Survey was to capture information about licensee activities and was not an attempt to capture consumer behavior. The Survey collected information on payday lender issues/activities related to the following:

- Transactions per Customer
- Customers' Income
- Internet Transactions
- Lead Generators
- Military Customers
- Payments to Customers
- Repayment from Customers
- Collections
- Customer Complaints
- Independent Agents

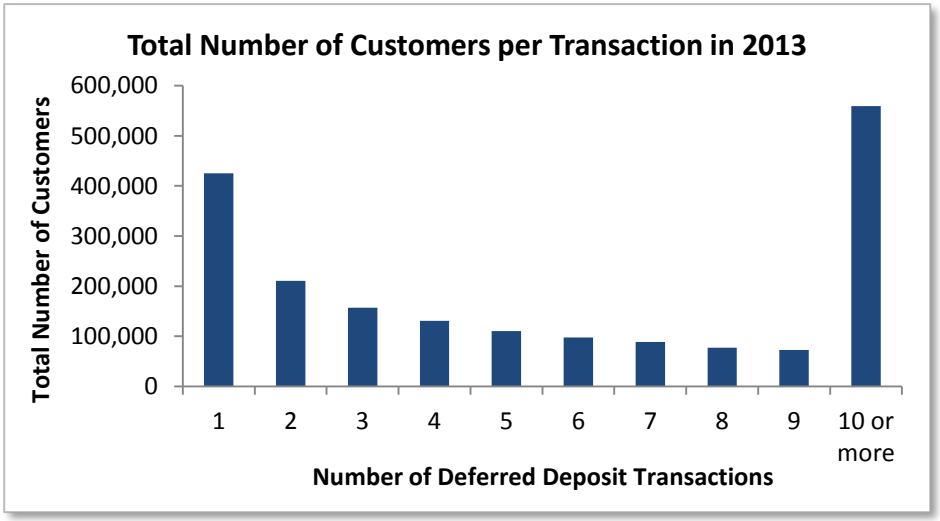
This Report provides a summary of the aggregated information collected by the Survey and is based on unaudited data provided by licensees. Responses to the survey were received by August 19, 2014.

Due to fluctuations in the deferred deposit licensee population and the difference in response rates, data included in this Report is not comparable to data included in the *DBO Annual Report: Operations of Deferred Deposit Originator under the California Deferred Deposit Transaction Law*.

[1] For comparison purposes, this 2014 Report reflects aggregated data for the calendar year 2013 only. For the 2013 Report licensees were asked to provide information for calendar year 2012, as well as partial information for 2013 (January 1 – May 31st).

Deferred Deposit Transaction Volumes per Customer

Questions one through ten of the Survey asked deferred deposit transaction originators (payday lenders) to report the number of customers who have obtained a specified number of transactions during 2013. The table below and graph to the right provide the aggregated response data for each question.



Source: Survey questions 1 through 10.

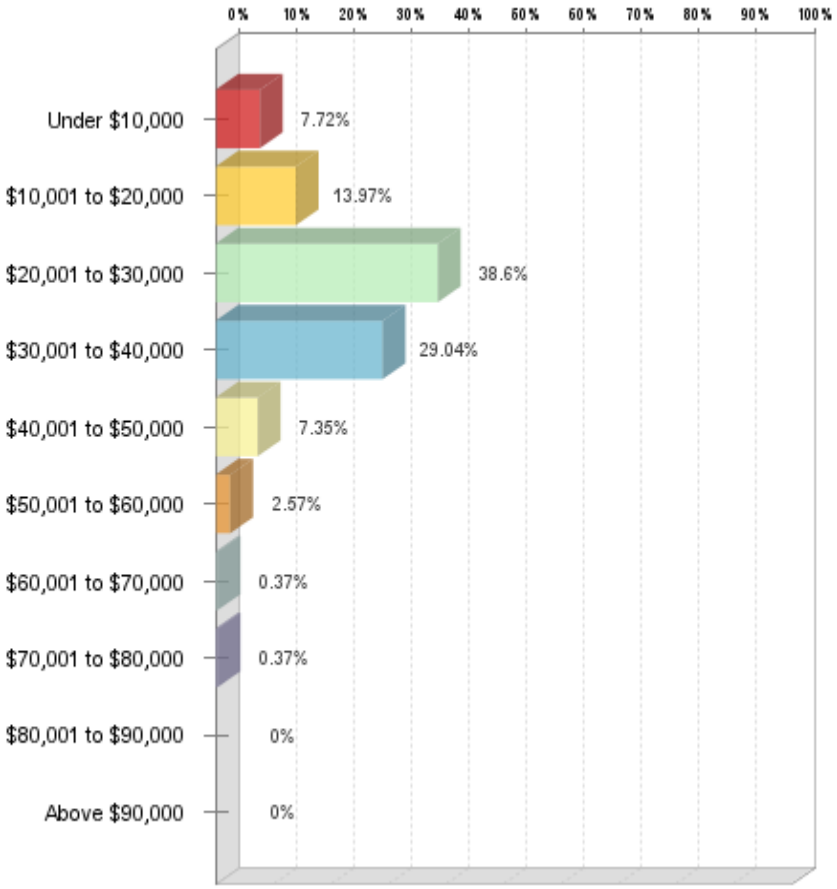
Question #	1	2	3	4	5	6	7	8	9	10
Question text	Number of customers who obtained 1 deferred transaction	Number of customers who obtained 2 deferred transactions	Number of customers who obtained 3 deferred transactions	Number of customers who obtained 4 deferred transactions	Number of customers who obtained 5 deferred transactions	Number of customers who obtained 6 deferred transactions	Number of customers who obtained 7 deferred transaction	Number of customers who obtained 8 deferred transaction	Number of customers who obtained 9 deferred transaction	Number of customers who obtained 10 or more deferred transactions
2013 Totals	425,464	210,852	156,881	130,772	110,339	97,495	88,447	76,809	72,413	559,535

Active Military Customers

- In 2013 less than one percent of reporting licensees indicated that they have customers who are in active military service. Of this share of payday lender licensees, the total number of customers was 5,663, with 5,717 unique transactions amounting to $1,375,448. *(Source: Survey questions 38 through 41.)*

Customers' Income

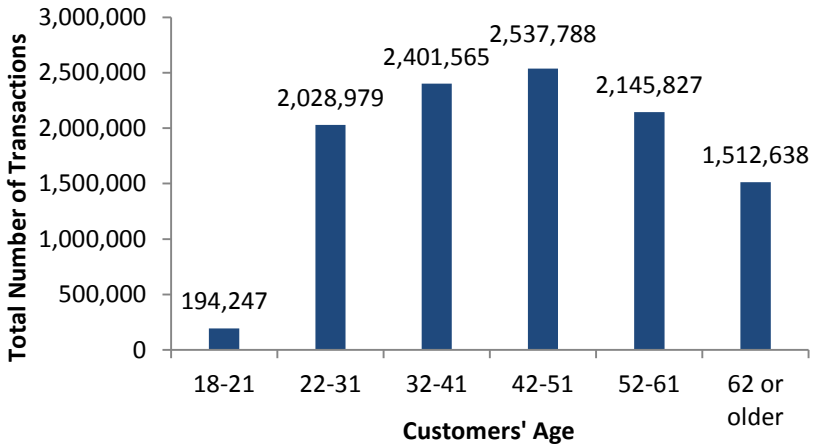
Average Annual Income



Source: Survey question 23.

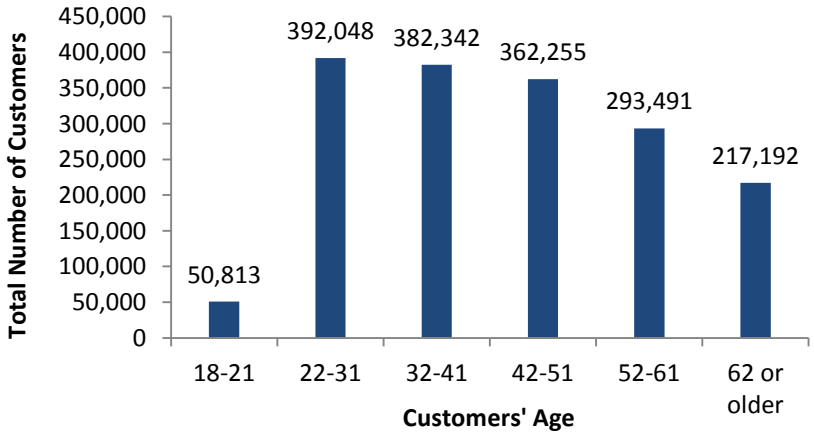
Consumers' Age

Number of Transactions by Customers' Age



Source: Survey questions 17 through 22.

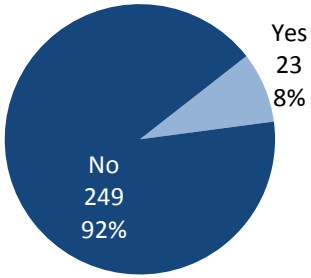
Total Number of Customers by Age



Source: Survey questions 11 through 16

Internet Transactions

Percentage of Licensed Payday Lenders Conducting Transactions on the Internet



Source: Survey question 24.

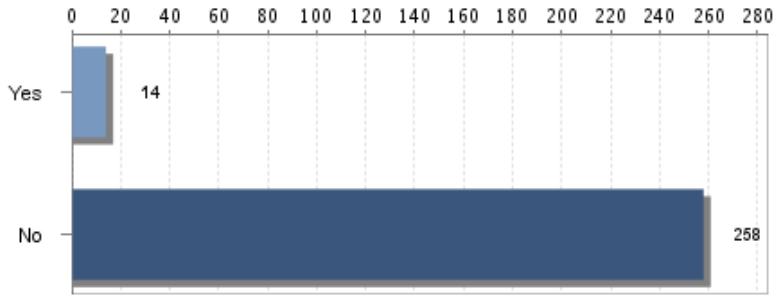
Internet Transaction Volumes and Amounts

	2013
Number of Transactions	1,517,824
Number of Customers	360,132
Transaction Amounts	$389,179,260

Source: Survey questions 25 - 27.

Lead Generators

Number of Licensed Payday Lenders Using Lead Generators



Source: Survey question 28.

Lead Generator Fees

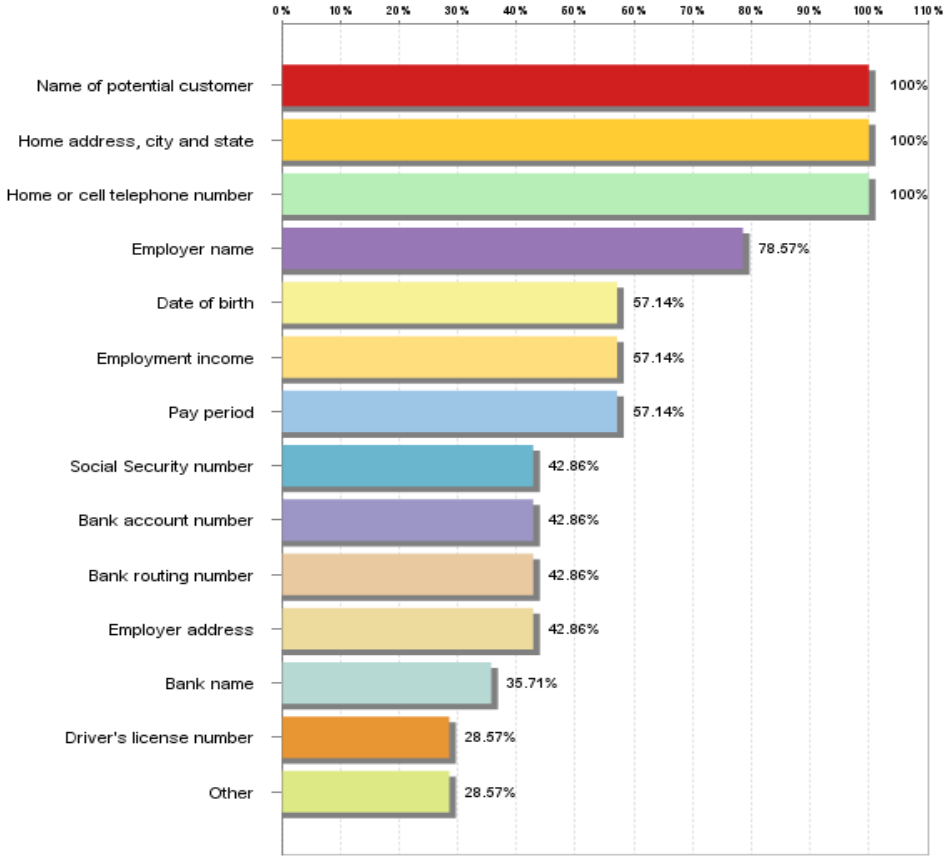
	2013
Fees Paid to Lead Generators	$3,307,314
Average Maximum Fee Paid per Lead	$33
Average Minimum Fee Paid per Lead	$12
Average Fee Paid per Lead	$23

Source: Survey question 32-35.

- Lead generators are generally defined as firms hired to find customers ("leads") for lending entities to solicit for their loan products.

Lead Generators (Continued)

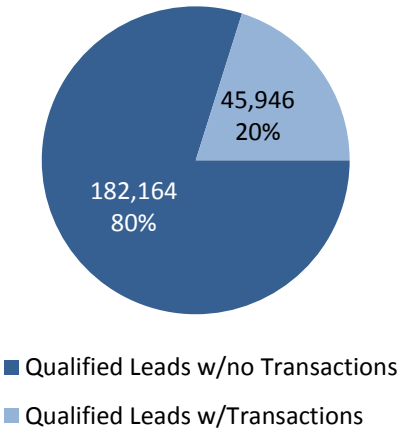
Types of Customer Information Provided by Lead Generators



Source: Survey question 37.

- Of the 14 licensees who responded that they use lead generators, the greatest number of lead generators used by any in that group was 16.
- One-hundred percent of responding licensees indicated that they pay lead generators for individual leads and that the lead generators they use provide customers' personal information. *(Source: Survey question 36 and 37.)*
- The primary types of customer information provided by lead generators are name, home address, and home/cell telephone number.
- The "other" types of information respondents indicated receiving are: email address, occupation, pay type, work phone, housing type, time at current residence, supervisor information, time employed, bank phone, mother's maiden name, and 3 references. *(Source: Survey question 37.)*

Percentage of Qualified Leads Resulting in Transactions

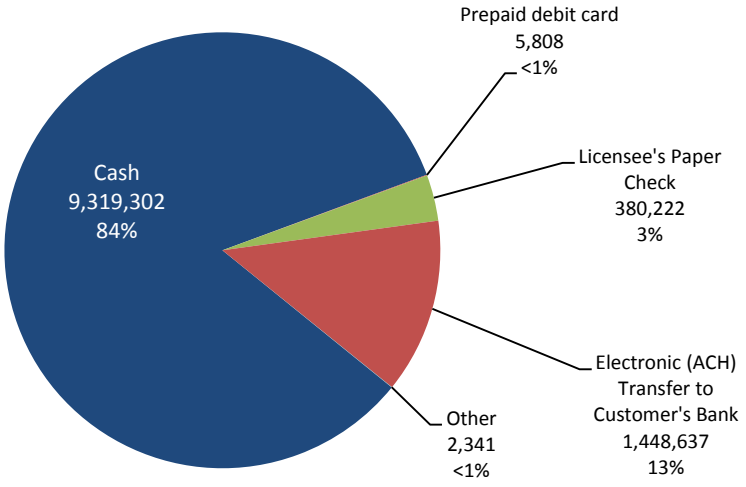


[2]

[2] For the purpose of this Survey, a "qualified lead" was defined as information about a person that has the interest and authority to obtain a deferred deposit transaction.

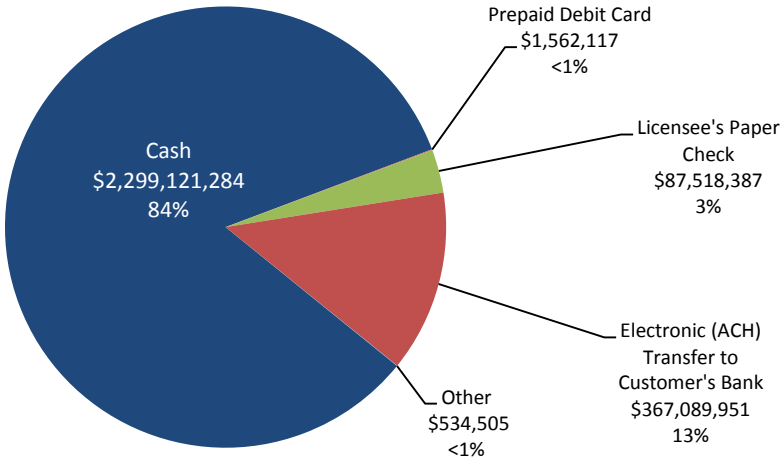
Disbursements to Customers

Volume of Disbursements to Customers (Transactions)



Source: Survey question 43.

Amount of Disbursements to Customers

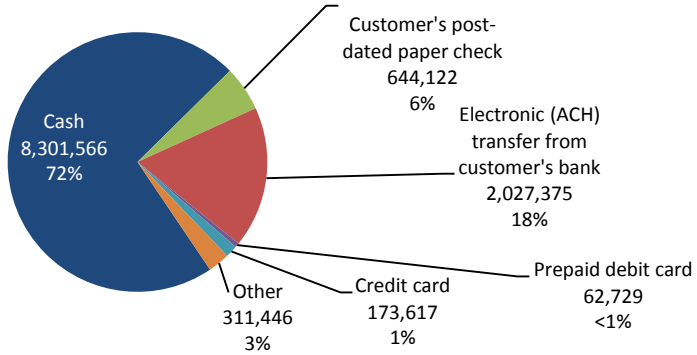


Source: Survey question 44.

- No licensees reported providing payment to customers through credit cards.
- The “other” category includes the following payment type as described by responding licensees: “wire transfer”.
- The volumes reported in this Summary Report are not entirely comparable to those on the Annual Report.

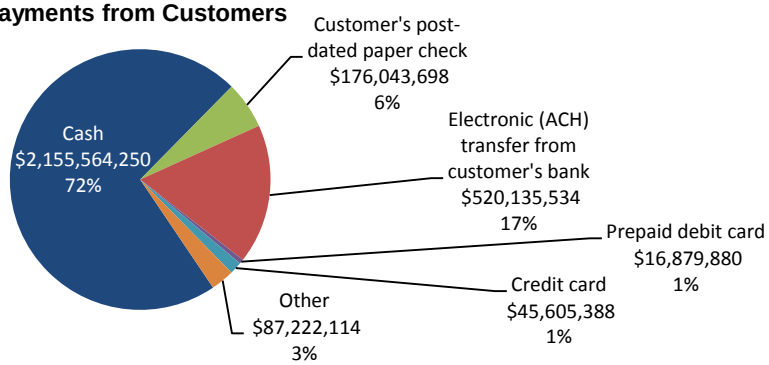
Payment from Customers

Volume of Payments from Customers (Transactions)



Source: Survey question 32.

Amount of Payments from Customers

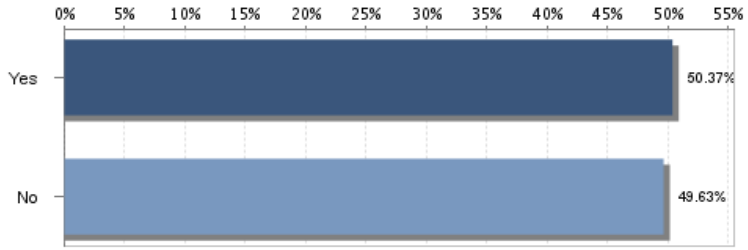


Source: Survey question 33.

- The "other" category includes the following payment types as described by responding licensees:
- The percentage of the loan volume and amount for each type of payment method are relatively consistent.

  - Bank Account via Debit Card
  - Personal Check
  - Cashier's Check
  - Court Payments
  - Money Orders
  - Money Transmission
  - Electronic Check Conversion (ECC)
  - Third-Party Payments

Percentage of Payday Lenders Offering a Written Payment Plan



Source: Survey question 50.

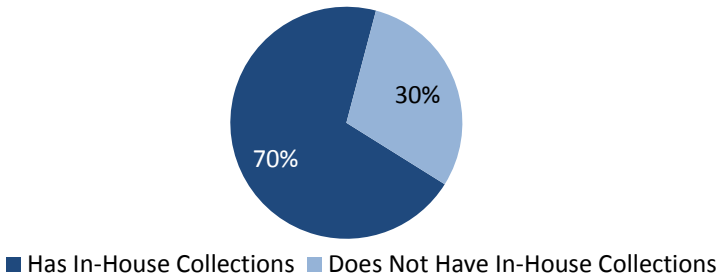
Payment Plan Volumes & Days for Repayment

	2013
Total Dollar Amount of Outstanding Payment Plans	$13,698,904
Total Number of Outstanding Payment Plans	58,880
Average Maximum Days for Repayment	155

Source: Survey questions 51 through 53.

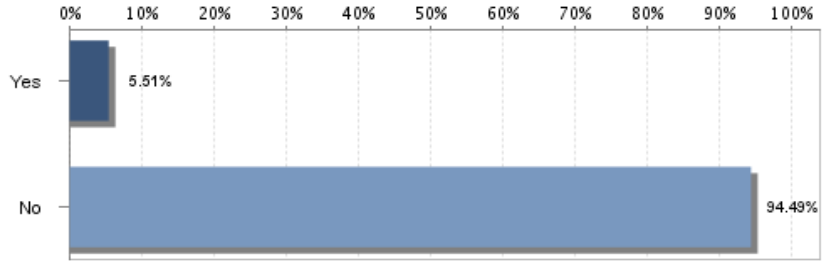
Collections

Percentage of Respondents with In-House Collections

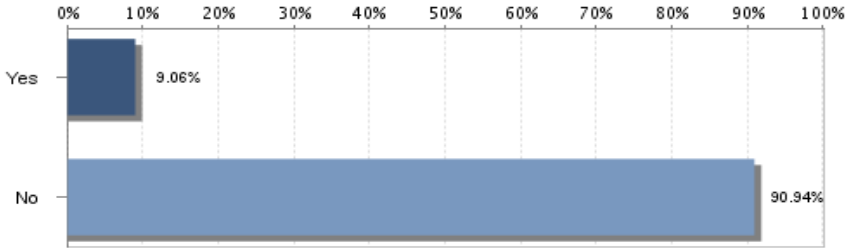


Source: Survey question 55.

Percent of Payday Lenders that Own an Outside Collection Agency



Percent of Payday Lenders Associated with an Outside Collection Agency[3]



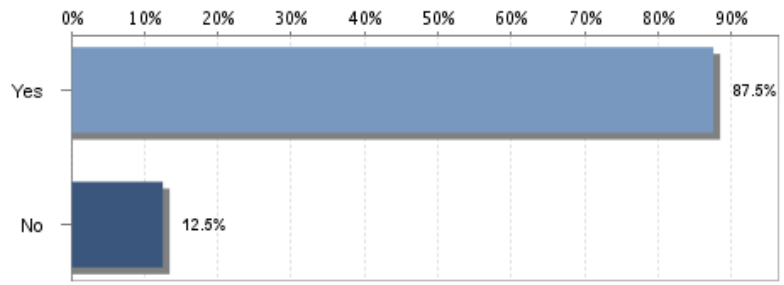
Source: Survey questions 59 and 60.

- The total number of customers who were not in a payment plan and who paid in full as a result of in-house collections was 261,688.
- The total dollar amount of transactions in 2013 that were not in a payment plan and paid in full as a result of in-house collections was approximately $251.8 million.
- Collection agencies are required to have a local business license to operate and are not licensed through the DBO. Several laws regulate debt collection companies in California, including the Fair Debt Collection Practices Act (FDCPA) administered by the Federal Trade Commission (FTC), and California's Rosenthal Fair Debt Collection Practices Act (Civil Code 1788-1788.33), which is enforced by the California Attorney General.

[3] For the purpose of this Survey, "associated" was defined as joining with another or others in a business enterprise.

Customer Complaints

Percent of Licensees with Procedures for Resolving Customer Complaints

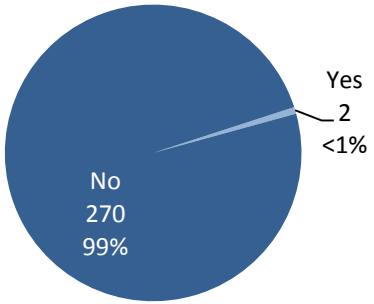


Source: Survey question 64.

- The DBO continues to follow-up with licensees to ensure that consumer complaints are resolved.

Independent Agents

Percent of Licensees Contracting with Independent Agent(s)



Source: Survey question 69.

- Independent agents were defined by the Survey question as an agent whom is not employed by the licensee, but is contracted with to assist in the origination of deferred deposit transactions. *(Source: Survey question 69.)*

Additional Comments

- Additional comments provided by responding licensees included descriptions of the methodologies they used to prepare the results they reported in the Survey.

Attachment A – Survey

California Department of
Business Oversight

California Deferred Deposit Transaction Law - 2014 Industry Survey

For licensees engaged in business under the California Deferred Deposit Transaction Law
(commonly known as "payday lenders")

The Department of Business Oversight (Department) is conducting a survey of its deferred deposit originators (commonly known as "payday lenders"), and the Commissioner is requesting your cooperation in completing this Survey.

This electronic survey form has been designed for your convenience in providing the Department with various aspects of your company related to deferred deposits. The information you provide will be used for assessing the overall fiscal health and practices of California's deferred deposit originator industry.

This report is required in accordance with Financial Code Section 23015. Your responses shall remain confidential under Government Code Section 6254(d); however, information may be aggregated and made available to the public.

Survey submissions are due on or before August 1, 2014.

Instructions for Completing this Survey

- Information reported in this Survey should be from the entire calendar year 2013 (or from date of licensure if licensed after January 1, 2013).
- Only California consumer transactions should be reported in the Survey.
- For the purpose of this Survey, the term "lead generator" means an affiliate or third party that provides contact information of a potential customer for compensation.
- ALL QUESTIONS MUST BE ANSWERED. If you have nothing to report for questions requesting numbers or dollar amounts, then enter zero ("0").
- Some questions are dependent on how you answer other questions; therefore, some questions may not appear in numerical order.
- To assist you in compiling the information required in the Survey, you may wish to print out a copy of the form:

  Click here for a paper copy to help you compile information for the online form.
  (SURVEYS MUST BE SUBMITTED USING THE ONLINE FORM. PAPER SUBMISSIONS WILL NOT BE ACCEPTED.)

  - You can close the Survey and return to it later by clicking on the link provided to access the Survey.
  - All input to the Survey must be completed no later than August 1, 2014.
  - You must click the "Submit" button at the bottom of the Survey to complete the form.

For Assistance

If you have questions about the survey content, please contact respondtodbo@dbo.ca.gov.

If you would like technical assistance with the survey form, please contact survey@dbo.ca.gov.

Survey ID Number (Please skip, for internal DBO use only)

Next >

Completed:

Save/Continue Later

California Deferred Deposit Transaction Law - 2014 Industry Survey

LICENSEE INFORMATION

Name of Licensee (as shown on license)

DBO Designated Email Address

Total number of licenses held as of December 31, 2013 (including the main location license)

Name of person completing the Survey

Title of person completing the Survey

Email address of person completing the Survey

Telephone number of person completing the Survey ###-###-####

DEFERRED TRANSACTIONS

A deferred transaction is a written agreement between the licensee and the customer to make a deferred deposit (payday) transaction.

Please answer each question for the period of 1/1/2013 - 12/31/2013. ***Each customer should only be included once in the below categories. This number represents the total number of transactions made by each customer.*** If you have nothing to report for a question, then input a zero ("0").

1. Number of customers who obtained 1 deferred transaction:
2. Number of customers who obtained 2 deferred transactions:
3. Number of customers who obtained 3 deferred transactions:
4. Number of customers who obtained 4 deferred transactions:
5. Number of customers who obtained 5 deferred transactions:
6. Number of customers who obtained 6 deferred transactions:
7. Number of customers who obtained 7 deferred transactions:
8. Number of customers who obtained 8 deferred transactions:
9. Number of customers who obtained 9 deferred transactions:
10. Number of customers who obtained 10 or more deferred transactions:

Please provide the number of ***customers*** in each category below based on the customers' age reported on the deferred deposit application for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

11. Customers' age 18-21:
12. Customers' age 22-31:
13. Customers' age 32-41:
14. Customers' age 42-51:
15. Customers' age 52-61:
16. Customers' age 62 or older:

Please provide the number of ***customers*** in each category below based on the customers' age reported on the deferred deposit application for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

11. Customers' age 18-21:
12. Customers' age 22-31:
13. Customers' age 32-41:
14. Customers' age 42-51:
15. Customers' age 52-61:
16. Customers' age 62 or older:

Please provide the number of ***transactions*** for each age category below. Please answer each question for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

17. Customers' age 18-21:
18. Customers' age 22-31:
19. Customers' age 32-41:
20. Customers' age 42-51:
21. Customers' age 52-61:
22. Customers' age 62 or older:

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

CUSTOMER'S INCOME

Please select your customer's average annual income as reported on deferred deposit application(s) for the period of 1/1/2013 - 12/31/2013.

Please select one ...

< Back Next >

INTERNET TRANSACTIONS

24. Did you offer deferred deposit transaction business over the Internet during 2013?

Yes No

INTERNET TRANSACTIONS (CONTINUED)

Please answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then input a zero ("0").

25. Total number of individual ***customers*** who obtained deferred deposit transactions over the Internet (only count repeat customers once):

26. Total number of deferred deposit ***transactions*** made over the Internet:

27. Total ***dollar amount*** of deferred deposit transactions made over the Internet:

< Back Next >

LEAD GENERATORS

28. In 2013, did you use lead generators to refer potential California customers to you?

(For the purpose of this Survey, the term "lead generator" means a person, company, or third party that provides contact information of a potential customer for compensation.)

Yes No

LEAD GENERATORS (CONTINUED)

Please answer each question for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

29. Total ***number of lead generators*** that referred potential customers to you:

30. Total ***number of qualified leads*** provided to you by the lead generator(s). (A qualified lead is information about a person that has the interest and authority to obtain a deferred deposit transaction):

31. Total ***number of individual customers*** who obtained deferred deposit transactions that were referred to you by the lead generator(s):

Please answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then input a zero ("0").

32. Total ***dollar amount*** of fees paid to lead generator(s):

33. ***Maximum*** fee paid to a lead generator for a single lead:

34. ***Average*** fee paid for each lead generated by lead generator(s):

35. ***Minimum*** fee paid to a lead generator for a single lead:

36. Were lead generators paid for each individual lead or were they paid for multiple leads?

- Individual lead
- Multiple leads
- Individual lead and multiple leads
- Other (please explain)

37. Check the box(es) below for information that was provided by your lead generator(s) during the period of 1/1/2013 - 12/31/2013:

- ☐ Name of potential customer
- ☐ Home address, city and state
- ☐ Home or cell telephone number
- ☐ Social Security number
- ☐ Date of birth
- ☐ Driver's license number
- ☐ Bank name
- ☐ Bank account number
- ☐ Bank routing number
- ☐ Employment income
- ☐ Pay period
- ☐ Employer name
- ☐ Employer address
- ☐ Other

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

MILITARY CUSTOMERS

38. In 2013, did you have customers in active military service?

○ Yes ○ No

MILITARY CUSTOMERS (CONTINUED)

Please answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then input a zero ("0").

39. Total number of ***customers*** in active military service:
40. Total number of ***transactions*** for active military service members:
41. Total ***dollar amount*** of transactions for customers in active military service:

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

DISBURSEMENT TO CUSTOMER

42. What is the total ***number of customers*** who were given funds for a deferred deposit transaction in each of the categories listed below?

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

Cash	
Licensee's paper check	
Electronic (ACH) transfer to customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question number 45)	

43. What is the total ***number of transactions*** in which funds were given for a deferred deposit transaction in each of the categories listed below?

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

Cash	
Licensee's paper check	
Electronic (ACH) transfer to customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question number 45)	

44. What is the total ***dollar amount*** of funds given for deferred deposit transactions in each of the categories listed below?

Please answer for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then input a zero ("0").

Cash	
Licensee's paper check	
Electronic (ACH) transfer to customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question number 45)	

45. Other disbursement types for the period of 1/1/2013 - 12/31/2013. If you did not enter anything into the "other" field in questions 42, 43, or 44 above, then leave this question blank.

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

PAYMENT FROM CUSTOMER

46. What is the total number of individual***customers*** *that provided payments in the categories listed below?*

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

Cash	
Customer's post-dated paper check	
Electronic (ACH) transfer from customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question 49)	

47. What is the total number of***transactions*** **for each payment category listed below?**

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

Cash	
Customer's post-dated paper check	
Electronic (ACH) transfer from customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question 49)	

48. What is the total ***dollar amount*** of payments from customers for each payment category below?

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then input a zero ("0").

Cash	
Customer's post-dated paper check	
Electronic (ACH) transfer from customer's bank	
Prepaid debit card	
Credit card	
Other (please describe in question 49)	

49. Other types of payment for the period of 1/1/2013 - 12/31/2013. If you did not enter anything into the "other" field in questions 46, 47, or 48 above, then leave this question blank.

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

PAYMENT PLANS

50. In 2013, did you offer a written payment plan to your customers who were unable to pay their transaction when due?

○ Yes ○ No

PAYMENT PLANS (CONTINUED)

Please answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then enter a zero ("0").

51. What is the ***maximum number of days*** provided to a customer to pay off an outstanding balance through a payment plan?

52. Total ***number*** of payment plans:

53. Total ***dollar amount*** of payment plans:

PAYMENT PLANS - ADDITIONAL INFORMATION

54. If you need to provide additional information to explain your responses to questions 51, 52, or 53 above, then please do so here:

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

COLLECTIONS

55. In 2013, did you have in-house collections?

○ Yes ○ No

COLLECTIONS (CONTINUED)

Answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then enter a zero ("0").

56. Total number of ***customers*** who were not in a payment plan and who paid in full as a result of in-house collections:

57. Total number of ***transactions*** that were not in a payment plan and paid in full as a result of in-house collections:

58. Total ***dollar amount*** of transactions that were not in a payment plan and paid in full as a result of in-house collections:

< Back Next >

COLLECTIONS (CONTINUED)

59. Do you own an outside collection agency?

○ Yes ○ No

COLLECTIONS (CONTINUED)

60. Are you associated with an outside collection agency? (For the purpose of this Survey, "associated" means to join with another or others in a business enterprise.)

○ Yes ○ No

Answer each question for the period of 1/1/2013 - 12/31/2013. Dollar amounts should be reported in whole dollars. If you have nothing to report for a question, then enter a zero ("0").

61. Total number of ***customers*** referred to a collection agency:

62. Total number of ***transactions*** referred to a collection agency:

63. Total ***dollar amount*** of transactions referred to a collection agency:

< Back Next >

CUSTOMER COMPLAINTS

64. Do you have procedures for resolving customer complaints?

○ Yes ○ No

65. Do you keep records of complaints that have been received?

○ Yes ○ No

CUSTOMER COMPLAINTS (CONTINUED)

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then enter a zero ("0").

66. How many customer complaints were received?

CUSTOMER COMPLAINTS (CONTINUED)

67. Do you keep a record of complaints that have been resolved?

○ Yes ○ No

CUSTOMER COMPLAINTS (CONTINUED)

Please answer for the period of 1/1/2013 - 12/31/2013. If you have nothing to report for a question, then enter a zero ("0").

68. How many customer complaints were resolved?

< Back Next >

INDEPENDENT AGENTS

69. In 2013, did you contract with an independent agent (who is not your employee) to assist you in the origination of deferred deposit transactions?

Yes No

INDEPENDENT AGENTS (CONTINUED)

70. Are the independent agent(s) used licensed with the Department of Business Oversight?

Yes No Unknown

< Back Next >

California Deferred Deposit Transaction Law - 2014 Industry Survey

ADDITIONAL COMMENTS

Please provide any additional comments you may have:

< Back Next >

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California Deferred Deposit Transaction Law - 2014 Industry Survey

VERIFICATION

I, the undersigned, state that I am an officer, or general partner, or the sole proprietor, or have a position of similar proprietary interest of the licensee listed below and that I have read and signed the report filed herewith and know the contents thereof and I certify that this survey is true and exact to the best of my knowledge.

Licensee

Date (mm/dd/yyyy)

City

State (example: CA)

Name of Declarant

Title of Declarant

Submitting the Survey

To review the information you have entered into the Survey, click here.
Only fields that you have answered will be visible.
To print your answers, right click on the report that pops up and select "print."
(Note: Your browser security settings may need to be modified to allow pop-ups from this website.)

If you wish to return to the Survey later to make changes or to provide more information, then click the Save button below and exit the browser window.

When you have completed the Survey, click the Submit button below.
A confirmation message of your submission will appear.

If you have questions about the Survey content, please contact respondtodbo@dbo.ca.gov.

If you would like technical assistance with the Survey form, please contact survey@dbo.ca.gov.

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Completed:

Sacramento Office:
1515 K Street, Suite 200
Sacramento, CA 95814-4052

San Diego Offices:
1350 Front Street, Room 2034
San Diego, CA 92101-3697

7575 Metropolitan Dr., Ste. 108
San Diego, CA 92108

Los Angeles Offices:
320 West 4th Street, Suite 750
Los Angeles, CA 90013-2344

300 S. Spring Street, Ste. 15513
Los Angeles, CA 90013-1259

San Francisco Offices:
One Sansome Street, Suite 600
San Francisco, CA 94104-4448

45 Fremont Street, Ste. 1700
San Francisco, 94105-2219

Department of Business Oversight
Toll-Free 1-866-275-2677
TTY 1-800-735-2922
Online www.dbo.ca.gov

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