

INDEX OF FEES, FINES AND PENALTIES

DBO – ADM 510 (Rev. 07-13)



Effective 07/01/2013
(GOVERNMENT CODE SECTION 8317)

FEES

Application fees required by the statutes administered by the Commissioner of Business Oversight or rules promulgated under these statutes are due and payable upon filing of the application regardless of the action taken thereon and should be submitted together with the application or other filing to which they refer. Checks should be made payable to the “Department of Business Oversight” and need not be certified. (See Section 250.15, Chapter 3, Title 10, California Code of Regulations.)

Besides the fees indexed below, costs of examinations (which vary each year) are available from the Department of Business Oversight’s Office of Management and Budget. Also, publication and copy fees are set forth in Title 10, California Code of Regulations, Sections 260.608 and 260.617.

<u>SECTION</u>	<u>TYPE OF FILING</u>	<u>FEE</u>	
<u>CORPORATIONS CODE</u>			
<u>Corporate Securities Law</u>			
25608	(b)	Negotiating Permit (25102(c))	\$ 50
	(c)	Notices (25102(h) and 25102(f))	See Note #1 and #2 below
	(d)	Designation of Issuer (25100(k))	\$ 50
	(e)	Permit (25113)	\$200 + 1/5 of 1% of value; \$2,500 max.
		Small Company Permit (25113(b)(2))	\$2,500. Should cost of processing a small company application exceed the filing fee, an additional fee shall be charged up to \$1,000 max.
		Notification (25112)	\$200 + 1/5 of 1% of value; \$2,500 max.
	(f)	Coordination (25111)	\$200 + 1/5 of 1% of value; \$2,500 max.
	(h)	Permit (25121)	\$200 + 1/5 of 1% of value; \$2,500 max. The fee for any change in the rights, preferences, privileges, or restrictions of or on outstanding securities is \$200
	(i)	Notification (25131)	\$100
	(j)	Removal or Modification of Condition	\$ 50
	(k)	Guarantee of Security	\$ 50
	(l)	Commissioner as Escrow Holder	\$ 50 (\$2.50 deposit of each new certificate resulting from transfer)
	(m)	Transfer of Securities	\$ 20 per transfer
	(n)	Amendment to Effective Qualification	\$ 50 plus any additional fee as required
	(o)	Broker-Dealer Certificate (25211)	\$300; \$75 minimum annual assessment
	(p)	Agent and Investment Adviser Representative	\$ 25 Change of Employment Notification
	(q)	Investment Advisor Certificate (25231)	\$125 per year
	(s)	Fairness Hearing Under Section 25142	\$200 + 1/5 of 1% of value; \$2,500 max. + actual hearing costs
	(u)	Repurchase Offer (25507(b))	Amount payable under 25608(e), (f), (h) or (i)
	(v)	Exemption (25100(l))	\$250
	(w)	Notice of Report Under Section 25105	See Note #1 below
	(x)	Qualified Purchasers Notice (25102(n))	\$600
	(y)	Notice of Transaction (25102(o))	\$200 + 1/5 of 1% of value; \$2,500 max.
	(z)	Notice (25103(h))	\$600
25608.1	(a)	Investment Company Notice (25100.1(b))	\$200 + 1/5 of 1% of value; \$2,500 max.
	(b)	Notice (25102.1(a))	\$600
	(c)	Notice (25102.1(d))	\$300 See Note #2 below
	(d)	Investment Advisor Notice (25230.1(b))	\$125
		Notice or Report (25230.1(c))	\$ 25
<u>Capital Access Company Law</u>			
28110	(a)(1)	Capital Access Company License	\$2,000 max.
	(a)(2)	Application to Acquire Control	\$1,000 max.
	(a)(3)	Purchase or Sell Business	\$1,000 max.
<u>Franchise Investment Law</u>			
31500	(b)	Franchise Registration (31111)	\$675
	(c)	Franchise Registration Renewal (31121)	\$450
	(d)	Franchise Registration Amendment (Post-effective)	\$ 50

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<u>SECTION</u>	<u>TYPE OF FILING</u>	<u>FEE</u>
(e)	Material Modification	\$ 50

<u>SECTION</u>	<u>TYPE OF FILING</u>	<u>FEE</u>
(f)	Notice of Exemption (31101)	\$450
	Consecutive Subsequent Notice	\$150
(g)	Written Notice of Violation	\$675

FINANCIAL CODE

<u>SECTION</u>	<u>TYPE OF FILING</u>	<u>FEE</u>
<u>Check Sellers, Bill Payers and Proraters Law</u>		
22214 (a)	Check Sellers, Bill Payer and Proraters License*	\$200
	Investigation	\$ 50
(b)(3)	Annual Assessment	\$150+
<u>Escrow Law</u>		
17207 (a)	Escrow Agent License	\$625/main office + \$425/branch office + Fingerprint Costs
(b)	Duplicate License	\$ 2
(c)	Investigation	\$100/office
(e)	Annual Assessment*	Pro rata not to exceed \$2,800 per office of location
(f)	Investigation for Manager Qualifications other than License Application	\$ 50
(g)	Notice or Report Required by Section 17203.1	\$ 25
(h)	Special Assessment	Not to exceed \$1,000 per office or location
17213	Transfer of Ownership	\$625 + \$100 investigation fee
<u>Finance Lenders Law</u>		
22103	Finance Lenders License	\$200 Application fee (nonrefundable)
	Investigation Fee	\$100 + Fingerprint & Criminal History Costs (nonrefundable)
22107 (c)	Annual Assessment*	\$250+ Per Licensed Location
22349	Pilot Program Lender Application Fee	\$250 to \$850 Per Location
22357 (b)	Finders Annual Registration Fee	\$100 to \$1,000 Per Location
<u>Deferred Deposit Transaction Law</u>		
23006 (23100)	Deferred Deposit Originator	\$200 + \$100 Investigation Fee + Fingerprint Costs
23016 (23100)	Annual Assessment*	Pro rata based on number of locations
<u>Securities Depository Law</u>		
30202 (a)	Security Depository License	\$2,500
(c)	Continuing a License	\$2,500 per annum
<u>Residential Mortgage Lending Act</u>		
50121 (b), (c), (50130 (b)(2))	Residential Mortgage Lender; Servicer or Both	\$900 + \$100 Investigation Fee + Fingerprint Costs
50401	Annual Assessment*	\$1,000 minimum; \$5,000 maximum

NOTE # 1: Fee for filing notices is based on the value of the securities sold in the transaction for which the notice is filed (including those portions not in this state), as follows:

Value of securities sold	Filing fee
\$ 25,000 or less	\$ 25
\$ 25,001 to \$100,000	35
\$100,001 to \$500,000	50
\$500,001 to \$1,000,000	150
Over \$1,000,000	300

NOTE # 2. Pursuant to Corporations Code Section 25608.3 (See Commissioner’s Release No. 115-C as revised on May 28, 2004), the maximum filing fee associated with subdivision (f) of Corporations Code section 25102 and subdivision (d) of Section 25102.1 shall be \$300.

* Contact the Consumer Services Office at (866) 275-2677 for Annual Assessment (which varies each year).

FINES AND PENALTIES

Besides the fines and penalties indexed below, there may be remedies available to the Department of Business Oversight for the public's protection pursuant to an enforcement action.

<u>SECTION</u>	<u>LAW</u>	<u>FINE/PENALTY</u>
<u>CORPORATIONS CODE</u>		
<u>Corporate Securities Law</u>		
25252	Willful Violation of Law/Rule/Order	Up to \$15,000 Administrative Penalty per violation (See Note #3 below)
25535	Violation of Law /Rule/Order	Up to \$25,000 Civil Penalty per violation
25540 (a)	Willful Violation of Law/Rule/Order	Up to \$1,000,000 or up to 1 year state/county prison or both
(b)	Willful Violation of Law/Rule/Order	Up to \$10,000,000 or state prison (2, 3, or 5 yrs) or both
(c)	For Sarbanes-Oxley issuers	Up to \$25,000,000 or state prison (2, 3, or 5 yrs) or both
25541 (a)	Use of Device, Scheme or Artifice to Defraud	Up to \$10,000,000 or state prison (2, 3, or 5 yrs) or both
(b)	For Sarbanes-Oxley issuers	Up to \$25,000,000 or state prison (2, 3, or 5 yrs) or both
28880	Willful Violation of Law/Rule/Order	Up to \$250,000 or up to 1 year state/county prison or both
28900	Violation of Law/Rule/Order	Up to \$2,500 Civil penalty per violation.
	Continuing Violation	\$2,500 each day violation continues
<u>Bucket Shop Law</u>		
29102	Violation of Law/Rule/Order	Corporations: \$1,000 – 10,000 Non-corporate entity: \$1,000 – 10,000 or state prison or both
<u>Commodity Law</u>		
29544	Willful Violation of Law/Rule/Order	Up to \$25,000 Civil Penalty per violation
29550 (a)	Willful Violation of Law/Rule/Order	Up to \$250,000 or up to 1 year state/county prison or both
(b)	Violation of Section 29536	Up to \$250,000 or state prison (2, 3, or 4 yrs) or both
<u>Franchise Investment Law</u>		
31405	Violation of Law/Rule/Order	Up to \$10,000 Civil Penalty per violation
31406	Violation of Law/Rule/Order	Up to \$2,500 Administrative Penalty per violation
31410	Willful Violation of Law/Rule/Order	Up to \$100,000 or up to 1 year state/county prison or both
31411	Willful Violation of Law/Rule/Order	Up to \$100,000 or up to 1 year state/county prison or both
<u>FINANCIAL CODE</u>		
<u>Check Sellers, Bill Payers and Proraters Law</u>		
12102	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both
12105 (c)	Violation of Law/Rule/Order	Up to \$2,500 Administrative Penalty per violation
(d)	Willful Violation of Law/Rule/Order	Up to \$10,000 Civil Penalty per violation
12107	Violation of Law/Rule/Order	Up to \$2,500 Administrative Penalty per violation
<u>Escrow Law</u>		
17213.2	Open or Change Branch Office Without Approval	Up to \$100 for 1 st 10 days, \$10 every day thereafter
17408	Failure to File Reports When Due	\$100 per day for 1 st 5 days, \$500 every day thereafter
17700	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both
17701	Violation of Law/Rule/Order	Up to \$2,500 Civil penalty per violation
<u>Finance Lenders Law</u>		
22153	Changes Business Location Without Notification	Up to \$500 Civil Penalty or Administrative Penalty
22359	Finders Violation of Law	Up to \$2,500 Administrative Penalty
22713	Willful Violation of Law/Rule/Order	Up to \$2,500 Civil Penalty per violation
22753	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both
22780	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both
<u>Deferred Deposit Transaction Law</u>		
23021	Changing Business Location Without Notification	Up to \$500 Civil Penalty
23051	Violation of Law/Rule/Order	Up to \$2,500 Civil penalty per violation
23058	Violation of Law/Rule/Order	Up to \$2,500 Administrative Penalty per violation
23065	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both

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<u>SECTION</u>	<u>LAW</u>	<u>FINE/PENALTY</u>
23100 (b)	Failure to Submit License Application and Fee	\$ 25 per day or part of day that submission or payment is delayed or withheld
	<u>Securities Depository Law</u>	
30209	Operation Without a License	\$250 to \$1,000, or 3 to 12 months county jail or both
	<u>Residential Mortgage Lending Act</u>	
50306	Open or Change Branch Office Without Approval	Up to \$100 for 1 st 10 day, \$10 every day thereafter
50326	Failure to File Reports When Due	Up to \$100 each day up to the 10 th day
50500	Willful Violation of Law/Rule/Order	Up to \$10,000 or up to 1 year state/county prison or both
50501	Violation of Law/Rule/Order	Up to \$2,500 Civil Penalty per violation

NOTE #3: Administrative Penalties: Up to \$1,000 for first violation and up to \$2,500 for each subsequent violation, for persons other than broker-dealers and investment advisers; and up to \$5,000 for first violation, up to \$10,000 for second violation, and up to \$15,000 for each subsequent violation, for broker-dealers and investment advisers.