

1 5. Pacific Capital engaged in an act that constitutes fraud or dishonest dealings in
2 violation of Financial Code section 22161, subdivision (a)(6), by falsely representing to the Alabama
3 resident he would receive a \$150,000.00 business loan after sending Pacific Capital an advance fee of
4 \$3,840.00 and an executed loan agreement.

5 6. Pacific Capital has not have been issued a license by the Commissioner under the
6 California Financing Law (CFL) (Fin. Code, § 22000 et seq.) and is not authorized to engage in the
7 business of a finance lender or broker. Pacific Capital is not exempt from the licensing requirement of
8 Financial Code section 22100.

9 Based on the foregoing findings, the Commissioner of Business Oversight is of the opinion
10 that Pacific Capital Finance, LLC has engaged in the business of a finance lender and/or broker in
11 violation of California Financial Code Section 22100. Furthermore, Pacific Capital Finance, LLC
12 has violated Financial Code section 22161, subdivision (a)(6), engaging in an act that constitutes
13 fraud or dishonest dealings.

14 Pursuant to California Financial Code Section 22712, Pacific Capital Finance, LLC is hereby
15 ordered to desist and refrain from engaging in the business of a finance lender and/or broker in the
16 State of California without first obtaining a license from the Commissioner, or otherwise being
17 exempt. Furthermore, Pacific Capital Finance, LLC is hereby ordered to desist and refrain from
18 engaging in an act that constitutes fraud or dishonest dealings.

19 This Order is necessary, in the public interest, for the protection of consumers and is
20 consistent with the purposes, policies, and provisions of the California Financing Law.

21
22 Date: December 18, 2018
23 Sacramento, CA

JAN LYNN OWEN
Commissioner of Business Oversight

24
25 By: _____
26 MARY ANN SMITH
27 Deputy Commissioner
28 Enforcement Division