

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

D and D Marketing Corporation
15503 Ventura Boulevard, Suite 300
Encino, CA 91436

Enforcement Case No. 12-11529
Agency No. 12-017-CU

<http://elga.credit.union.car.loans.fastquickquickloans.com>
<http://navy.federal.credit.union.personal.loans.personalloanspersonalloan.us>
<http://michigan.credit.union.personal.loans.personalloanspersonalloan.us>
<http://century.federal.credit.union.cashadvancecashs.com>
<http://best.credit.union.auto.loans.apaydayloanspayday.com>
<http://teachers.credit.union.home.loans.fastquickquickloans.com>
<http://police.credit.union.personal.loans.fastquickquickloans.com>
<http://loan.source.credit.union.fastquickquickloans.com>
<http://federal.credit.union.personal.loan.fastquickquickloans.com>
<http://credit.union.rv.loan.rates.fastquickquickloans.com>
<http://credit.union.loan.review.fastquickquickloans.com>
<http://credit.union.loan.computer.program.cashloanscashs.com>
<http://credit.union.loan.bad.credit.cashloanscashs.com>
<http://credit.union.home.loan.rates.loandirectsloans.com>
<http://coast.hills.credit.union.loan.fastquickquickloans.com>
<http://credit.union.loan.application.fastquickquickloans.com>
<http://credit.union.loansdirectloanss.com>
<http://credit.union.fastquickquickloans.com>
<http://credit.union.cashloanscashs.com>
<http://credit.union.personalloanspersonalloan.us>

Respondent.

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Issued and entered
this 30th day of April, 2012
by Stephen R. Hilker,
Senior Deputy Commissioner

TEMPORARY ORDER TO CEASE AND DESIST

The Office of Financial and Insurance Regulation, pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq.*, and the Michigan Credit Union Act, 2003 PA 215, as amended, MCL 490.101 *et seq.*, and the

Rules promulgated thereunder, R 490.111 - R 490.120, issued a Notice of Charges and Notice of Hearing on April 30, 2012, and now states:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. OFIR is responsible for the regulation of credit unions doing business in the state of Michigan and enforcement of the provisions of the Michigan Credit Union Act ("MCUA").
2. D and D Marketing Corporation (D and D Marketing) is incorporated in the state of California with its principal place of business located at 15503 Ventura Boulevard, Suite 300, Encino, California 91436.
3. On March 29, 2012, the Senior Deputy Commissioner of the Office of Financial and Insurance Regulation (OFIR) issued a Temporary Order to Cease and Desist (Order) against D and D Marketing. The Order demanded that Respondent immediately Cease and Desist from conducting any and all business operations as a credit union including the operation of the websites:
<http://www.michigan.credit.union.auto.loans.fastquickquickloans.com>
<http://www.credit.union.loans.cashloanloanscash.com>
4. Subsequent to the issuance of the Order, OFIR Staff found that Respondent operates additional websites that advertise and offer credit union loans to Michigan residents. D and D Marketing in its operation of multiple websites represents to the public that it is a state chartered or foreign credit union. The websites operated by D and D Marketing include the following:
<http://elga.credit.union.car.loans.fastquickquickloans.com>
<http://navy.federal.credit.union.personal.loans.personalloanspersonalloan.us>
<http://michigan.credit.union.personal.loans.personalloanspersonalloan.us>
<http://century.federal.credit.union.cashadvancecashs.com>
<http://best.credit.union.auto.loans.apaydayloanspayday.com>
<http://teachers.credit.union.home.loans.fastquickquickloans.com>
<http://police.credit.union.personal.loans.fastquickquickloans.com>
<http://loan.source.credit.union.fastquickquickloans.com>
<http://federal.credit.union.personal.loan.fastquickquickloans.com>
<http://credit.union.rv.loan.rates.fastquickquickloans.com>
<http://credit.union.loan.review.fastquickquickloans.com>
<http://credit.union.loan.computer.program.cashloanscashs.com>
<http://credit.union.loan.bad.credit.cashloanscashs.com>
<http://credit.union.home.loan.rates.loandirectsloans.com>
<http://coast.hills.credit.union.loan.fastquickquickloans.com>
<http://credit.union.loan.application.fastquickquickloans.com>
<http://credit.union.loansdirectloanss.com>
<http://credit.union.fastquickquickloans.com>
<http://credit.union.cashloanscashs.com>
<http://credit.union.personalloanspersonalloan.us>

5. The above-mentioned websites offer “credit union” loans to Michigan residents.
6. D and D Marketing in its website, <http://elga.credit.union.car.loans.fastquickquickloans.com>, appears to assert that it is affiliated with ELGA Credit Union, which is a domestic credit union. The credit union has confirmed that it is not affiliated with D and D Marketing or the abovementioned website.
7. D and D Marketing Corporation is not a domestic credit union organized pursuant to Section 301 of the MCUA, MCL 490.301.
8. D and D Marketing Corporation is not a domestic credit union authorized to commence business in the state of Michigan pursuant to Section 301 of the MCUA, MCL 490.301.
9. D and D Marketing Corporation is using the words “credit union” in its business operations and/or promotion of its websites, in violation of Section 104 of the MCUA, MCL 490.104.
10. D and D Marketing Corporation’s ongoing business operations constitute continuing and multiple violations of the MCUA.
11. On May 4, 2012, OFIR ~~issued and~~ served upon D and D Marketing Corporation a Notice of Charges and Notice of Hearing, pursuant to Section 210 of the MCUA, MCL 490.210, via Certified Mail.
12. Through that Notice of Charges, D and D Marketing Corporation was informed of the fact that its ongoing business operations violate the MCUA, MCL 490.101 *et seq.*

WHEREAS, a person is prohibited from engaging in the business of a credit union in the state of Michigan unless they are a domestic credit union or foreign credit union pursuant to MCL 490.101 *et seq.*; and

WHEREAS, Section 102(h) of the MCUA, MCL 490.102(h) states that “[c]redit union’ means a domestic or foreign credit union;” and

WHEREAS, Section 102(l) of the MCUA, MCL 490.102(l) states that “[d]omestic credit union’ means a cooperative, nonprofit entity organized under this act for the purposes of encouraging thrift among its members, providing a variety of financial services to its members, and providing an opportunity for its members to use and control their own money on a democratic basis in order to improve their economic and social condition;” and

WHEREAS, Section 102(o) of the MCUA, MCL 490.102(o), states that “[f]ederal credit union’ means a credit union organized under the laws of the United States;” and

WHEREAS, Section 102(r) of the MCUA, MCL 490.102(r), states that “[f]oreign credit union’ means a credit union organized under the laws of another state or territory of the United States or a federal credit union;” and

WHEREAS, a person desiring to operate as a domestic credit union must first obtain the approval of the Commissioner under Section 301 of the MCUA, MCL 490.301; and

WHEREAS, Section 201 of the MCUA, MCL 490.201, states that “[t]he commissioner shall administer the laws of this state relating to credit unions transacting business in this state and shall supervise domestic credit unions, and foreign credit unions other than federal credit unions transacting business in this state;” and

WHEREAS, Section 210(4) of the MCUA, MCL 490.210(4) states that, “[i]f the commissioner determines that a foreign credit union branch located in this state is acting in violation of the laws of this state or that the activities of the branch are being conducted in an unsafe and unsound manner, the commissioner may take any enforcement action that would be permitted under this act if the branch were a domestic credit union;” and

WHEREAS, Section 211 of the MCUA, MCL 490.211, states that “[i]f the commissioner determines that a violation or threatened violation or an unsafe or unsound practice or practices specified in the notice of charges served upon a domestic credit union under section 210, or the continuation of the violation or practice, is likely to cause insolvency or substantial dissipation of assets or earnings of the domestic credit union, or is likely to otherwise seriously prejudice the interests of its depositors, the commissioner may issue a temporary order requiring the domestic credit union to cease and desist from that violation or practice;” and

WHEREAS, D and D Marketing Corporation’s ongoing business operations as an alleged “credit union” violate Section 301 of the MCUA, MCL 490.301; and

WHEREAS, D and D Marketing Corporation is using the words “credit union” in its business operations in violation of Section 104 of the MCUA, MCL 490.104; and

WHEREAS, D and D Marketing Corporation’s ongoing business operation as an alleged “credit union” constitutes a continuing violation of the MCUA; and

WHEREAS, OFIR Staff recommends that the Commissioner find that Respondent has engaged in acts and practices that violate the MCUA, MCL 490.101 *et seq.*; and

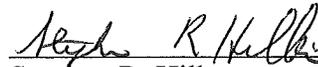
WHEREAS, OFIR Staff recommends that the Commissioner issue a Cease and Desist Order pursuant to Section 211 of the MCUA, MCL 490.211;

ORDER

IT IS THEREFORE ORDERED, pursuant to Section 211 of the MCUA, MCL 490.211, that:

1. Respondent shall immediately **CEASE AND DESIST** from conducting any and all business operations as a credit union including the operation of the abovementioned websites, in violation of Sections 104 and 301 of the MCUA, MCL 490.104 and MCL 490.301.
2. Failure to comply with this ORDER will subject Respondent to a criminal penalty of not more than \$25,000 for each violation, or imprisonment of not more than 10 years, or both.
3. The Commissioner retains the right to pursue further administrative action against the Respondent should the Commissioner determine that such action is necessary and appropriate in the public interest, for the protection of investors, and consistent with the purposes fairly intended by the policy and provisions of the MCUA.
4. Any contact with OFIR must be directed to Marlon F. Roberts, Staff Attorney, Office of Financial and Insurance Regulation, P.O. Box 30220, Lansing, MI 48909, telephone at: (877) 999-6442, or facsimile at (517) 373-1224.

OFFICE OF FINANCIAL AND
INSURANCE REGULATION



Stephen R. Hilker
Senior Deputy Commissioner