

BEFORE THE CALIFORNIA PRIVACY PROTECTION AGENCY

In the Matter of:

Jerico Pictures, Inc., d/b/a National Public
Data and RecordsCheck.net,

Respondent.

Case No. ENF24-D-JE-16

DEFAULT DECISION AND ORDER
(Government Code §§ 11506 and
11520)

Complainant the Enforcement Division of the California Privacy Protection Agency (Agency) has provided evidence establishing that Respondent Jerico Pictures, Inc., d/b/a National Public Data and RecordsCheck.net (Respondent) violated Civil Code section 1798.99.82, which requires a business to register with the Agency in the month of January following each year that it operates as a data broker. The evidence also establishes that the Agency complied with the procedural requirements of the Administrative Procedure Act and Respondent Data did not file a Notice of Defense within the applicable time frame; thus, the Agency may take action, by way of a default. (Govt. Code, § § 11506 and 11520.)

This Default Decision and Order is based on the Default Decision Investigatory Evidence Packet in Support of Default Decision and Order (Evidence), and declarations and attachments referenced therein. (Attachment 2.)

The Board of the California Privacy Protection Agency finds as follows:

I. FINDINGS OF FACT

1. On or about February 19, 2025, the Agency filed an Accusation in Case Number ENF24-D-JE-16 against Respondent, pursuant to Government Code section 11503. (Attachment 2, Declaration in Support of Default Decision and Order, Exhibit A-1, Accusation.)

2. At all times relevant to the violations brought in the Accusation in Case Number ENF24-D-JE-16, respondent was a data broker as defined by Civil Code section 1798.199.80, subdivision (c).

3. Respondent conducted business as a data broker during the 2023 calendar year by knowingly collecting and selling to third parties the personal information of consumers with whom the business does not have a direct relationship.

4. Respondent was required to register with the Agency as a data broker by January 31, 2024, for its 2023 data broker activities. Respondent did not register with the Agency until September 18, 2024 —230 days after the deadline.

5. On or about February 19, 2025, the Enforcement Division complied with the requirements of Government Code section 11505 and served Respondent with the Accusation in Case Number ENF24-D-JE-16, Statement to Respondent, copies of Government Code sections 11507.5, 11507.6, and 11507.7, and a Notice of Defense form. Respondent was served by certified mail, return receipt requested, to the address of Respondent's registered agent for service of process and at Respondent's last address on file with the Agency pursuant to California Code of Regulations, title 11, section 7603. The addresses served were: 1801 NW 126th Way, Coral Springs, Florida 33071 and 1440 Coral Ridge Dr Ste 23, Coral Springs, Florida 33071.

6. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

7. The Board takes official notice of the Agency's records and the fact that Respondent failed to file a Notice of Defense within 15 days after service upon the business of

the Accusation as required by Government Code section 11506, and therefore waived its right to a hearing on the merits of the Accusation.

8. Pursuant to its authority under Government Code section 11520 and based on a review of the Declaration of Service dated February 19, 2025, the Board finds Respondent is in default.

9. Based on the foregoing findings of fact and the relevant evidence contained in the Evidence, the Board will take action without further hearing and finds that the factual allegations in the Accusation are separately and severally, found to be true and correct by a preponderance of the evidence.

II. DETERMINATION OF ISSUES

1. This matter arises under the Delete Act, Civil Code sections 1798.99.80 - 1798.99.89, and accompanying regulations in California Code of Regulations, title 11, section 7600, et seq. The Agency has jurisdiction over the registration and regulation of data brokers under the Delete Act.

2. Civil Code section 1798.99.82 requires data brokers to annually register with the Agency. On or before January 31 following each year in which a business meets the definition of a data broker, the business shall register with the Agency pursuant to the requirements in Civil Code section 1798.99.82.

3. Pursuant to Civil Code section 1798.99.82, subdivision (c), the Agency may bring an administrative action seeking an administrative fine as well as other fees and costs against any data broker that fails to timely register with the Agency as required by law.

4. Respondent registered as a data broker with the Agency 230 days after the January 31, 2024 deadline in violation of Civil Code section 1798.99.82.

5. The Enforcement Division served Respondent on February 19, 2025, with the Accusation pursuant to Government Code section 11505.

6. Government Code section 11506, subdivision (c) sets a fifteen (15) day deadline to file a Notice of Defense or otherwise respond to the Accusation. Section 11506(c) provides, in pertinent part: “Failure to file a notice of defense or notice of participation shall constitute a waiver of respondent’s right to a hearing . . .”.

7. Government Code section 11520, subdivision (a) provides, in pertinent part: “If the respondent either fails to file a notice of defense, or, as applicable, notice of participation, or to appear at the hearing, the agency may take action based upon the respondent’s express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent . . .”.

8. Respondent did not file a Notice of Defense with the Agency and the time to file a Notice of Defense or otherwise request a hearing has expired.

9. The Board has jurisdiction to adjudicate this matter by default.

10. Pursuant to the authority in Government Code section 11520, and based on the evidence before it, the Board finds that Respondent violated Civil Code section 1798.99.82 and is liable for an administrative fine in the amount of \$46,000, which is \$200 per day multiplied by 230 days.

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III. ORDER

IT IS HEREBY ORDERED that:

Respondent Jerico Pictures, Inc., d/b/a National Public Data and RecordsCheck.net shall pay an administrative fine in the amount of forty-six thousand dollars (\$46,000) in accordance with Civil Code § 1798.99.82(e).

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Default Decision be vacated and stating the grounds relied upon within seven (7) days after service of the Default Decision on Respondent. The motion shall be sent by electronic mail to legal@coppa.ca.gov or by mail to California Privacy Protection Agency, Legal Division, 400 R Street, Suite 350, Sacramento, California 95811. The Agency in its discretion may vacate the Default Decision and grant a hearing on a showing of good cause, as defined in statute.

This Default Decision and Order shall become effective June 7, 2025

IT IS SO ORDERED this 2nd day of MAY, 2025.

BY THE BOARD:



JENNIFER M. URBAN
Chairperson
California Privacy Protection Agency