

1 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
2 DIVISION OF FINANCE AND CORPORATE SECURITIES  
3 FINANCE SECTION  
BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
STATE OF OREGON

4 In the Matter of:  
5 SOUTHERN OREGON MORTGAGE, INC  
6 MB/B-1909,

)  
) O-99-0024  
) ORDER TO CEASE AND DESIST  
) ORDER TO ASSESS CIVIL PENALTY  
) CONSENT TO ENTRY OF ORDER  
)

7  
8 WHEREAS the Director of the Department of Consumer and Business Services has  
9 conducted an investigation of Southern Oregon Mortgage, Inc., and has determined that  
10 Southern Oregon Mortgage, Inc. engaged in activities constituting violations of ORS 59.840  
11 through 59.965 (hereinafter "the Oregon Mortgage Lender Law"); and

12 WHEREAS Southern Oregon Mortgage, Inc. wishes to resolve and settle this matter  
13 with the Director;

14 NOW THEREFORE, as evidenced by the authorized signature(s) subscribed on this  
15 Order, Southern Oregon Mortgage, Inc. hereby **CONSENTS** to entry of this order upon the  
16 Director's Findings of Fact and Conclusions of Law as stated hereinafter:

17 **FINDINGS OF FACT**

18 The Director **FINDS** that:

- 19 1. Southern Oregon Mortgage, Inc. (herein "Respondent"), can be located at 331 Crater  
20 Lake Ave., Medford, OR 97504 and is engaged in the business of a mortgage broker.  
21 2. Respondent has been licensed by the Division of Finance and Corporate Securities  
22 (herein "Division") since July 20, 1999 and is still actively licensed.  
23 3. In July of 1999, Respondent verbally notified the Division that Respondent had opened  
24 an office on July 1, 1999 to conduct mortgage broker business in Medford, Oregon.  
25 4. In July of 1999, Respondent was notified verbally and in writing of the procedures  
26 necessary to obtain a license under the Oregon Mortgage Lender Law. Respondent was  
27 also notified that no business could originate under the name or at the office until the  
28 required procedures were completed.

1 5. Respondent did not complete the required procedures to obtain a license for the office  
2 until July 20, 1999.

3 6. Respondent conducted at least one transaction under the unlicensed name at the  
4 unlicensed location between July 1 and July 19, 1999.

5 **CONCLUSIONS OF LAW**

6 The Director **CONCLUDES** that:

7 1. Respondent conducted unlicensed activity at the Medford location in violation of ORS  
8 59.845 AND OAR 441-860-0020.

9 2. Respondent has remedied the violation through submission of an application for the  
10 Medford office.

11 **ORDER**

12 The Director, pursuant to ORS 59.885(4) hereby **ORDERS** that Respondent will  
13 **CEASE AND DESIST** from:

14 1. Violating any provisions of ORS 59.840 through 59.960; and

15 2. Operating any unlicensed activity in the future.

16 The Director, pursuant to ORS 59.996, hereby **ORDERS** Respondent to pay the  
17 State of Oregon a civil penalty of \$5,050.00, \$5,000.00 for knowingly conducting a  
18 mortgage broker business without a license, and \$50.00 for the one loan application taken  
19 during that time.

20 The Director suspends payment of \$5,050.00 of the assessed civil penalty for a  
21 three year period. If in the period from the date of the Order to three years from the date of  
22 this Order, Respondent violates any provision of Oregon's Mortgage Lender Law, the  
23 suspended portion of the assessed civil penalty will become immediately due and payable.  
24 If no violation of Oregon's Mortgage Lender Law by Respondent occurs, in the three year  
25 period, the suspended portion of the civil penalty is waived. The date of the Order is the  
26 date the Director signs the Order.

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1 The entry of this Order in no way limits further remedies which may be available to  
2 the Director under Oregon law.

3 Dated this 23 day of September, 1999 at Salem, Oregon.

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5 **MICHAEL GREENFIELD, DIRECTOR**  
6 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

7 by   
8 **R.M. NOCKLEBY, ADMINISTRATOR**  
9 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

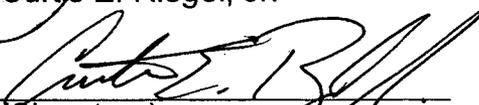
10 **CONSENT TO ENTRY OF ORDER**

11 I, Curtis E. Riegel, state that I am the Vice President of Southern Oregon Mortgage, Inc.,  
12 and I am authorized to act on its behalf; that I have read the foregoing Order and that I  
13 know and fully understand the contents hereof; that Southern Oregon Mortgage, Inc. has  
14 been advised of its right to a hearing; that Southern Oregon Mortgage, Inc. admits the  
15 findings of fact herein, voluntarily consenting to the entry of this Order without further  
16 hearing, expressly waiving any right to a hearing in this matter; that Southern Oregon  
17 Mortgage, Inc. understands that the Director reserves the right to take further actions to  
18 enforce this Order or to take appropriate action upon discovery of other violations of  
19 Oregon's Mortgage Lender Law; and that Southern Oregon Mortgage, Inc. will fully comply  
20 with Chapter 59 of Oregon's Mortgage Lender Law.

21 I understand that this Consent Order is a public document.

22  
23 Dated this 23<sup>rd</sup> day of September, 1999.

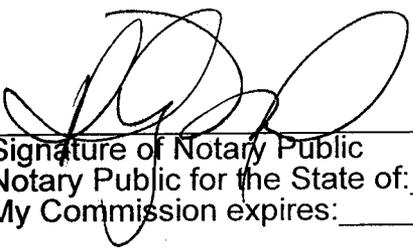
24  
25 By Curtis E. Riegel, Jr. VP / Sec.  
26 Curtis E. Riegel, Jr. (Office Held)

27   
28 (Signature)

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**CORPORATE ACKNOWLEDGMENT**

There appeared before me this 23 day of Sept, 1999, Curtis E. Riegel Jr. who was first duly sworn on oath, and stated that he was and is the Vice President / Sec of Southern Oregon Mortgage, Inc. and he is authorized and empowered to sign this Consent to Entry of Order on behalf of Southern Oregon Mortgage, Inc. and to bind Southern Oregon Mortgage, Inc. to the terms hereof.

  
\_\_\_\_\_  
Signature of Notary Public  
Notary Public for the State of: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

