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SEP 06 2000

FISCAL SECTION

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES
FINANCE SECTION

BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
STATE OF OREGON

In the Matter of

O-00-0030

PRESIGE MORTGAGE SERVICES
INC. FKA PRESITIGE MORTGAGE
INC.

CEASE AND DESIST ORDER AND
CONSENT TO IMPOSITION OF CIVIL
PENALTIES

To: Andrea Roberts
Prestige Mortgage Services Inc.
fka Prestige Mortgage Inc.
11535 SW Durham Rd. C-5
Portland, Oregon 97224

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FISCAL SECTION

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon conducted an investigation of Prestige Mortgage Services fka Prestige Mortgage Inc., and determined that Prestige Mortgage Services fka Prestige Mortgage Inc. engaged in activities constituting violations of ORS 59.840 through 59.965 (hereinafter "the Oregon Mortgage Lender Law"); and

WHEREAS Prestige Mortgage Services fka Prestige Mortgage Inc. wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signatures subscribed on this Order, Prestige Mortgage Services fka Prestige Mortgage Inc. hereby **CONSENTS** to entry of this order upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter:

FINDINGS OF FACT

The Director **FINDS** that:

090800-022-002001-0500-62000

1. Prestige Mortgage Services Inc. fka Prestige Mortgage Inc. (hereinafter

1 "Respondent") incorporated in Oregon on July 14, 1997 using the name Prestige
2 Mortgage Inc. On August 21, 2000, Respondent changed the name of the company
3 from Prestige Mortgage Inc. to Prestige Mortgage Services Inc. due to a problem with
4 name availability at the Oregon Secretary of State's Corporation Division.

5 2. Respondent is in the business of transacting mortgage loans on Oregon real
6 property, including transactions secured by a lien interest real property in which a
7 residential one to four family dwelling unit is situated or planned.

8 3. Herman Roberts, Mike Lobb, and Andrea Roberts each own one-third of the
9 company.

10 4. Respondent received mortgage lender license number 1297 on August 25,
11 1997. It was renewed in late July 1998 for a two-year period.

12 5. On August 14, 1998, the Division received notice of the cancellation of
13 Respondent's surety bond. The Division sent notice to Respondent that unless a
14 replacement surety bond was received by September 14, 1998, the Division would
15 cancel Respondent's license. The letter was received by Respondent on August 21,
16 1998.

17 6. On September 14, 1998, the Division had not received a replacement surety
18 bond nor had it received notice of reinstatement. Respondent's license was cancelled
19 effective September 14, 1998.

20 7. On August 16, 2000, Lori Asa, an examiner with the Division, received a
21 telephone call from Debra at Greenpoint to check on Respondent's license. Lori Asa
22 told Debra that our records show the license was cancelled September 14, 1998.

23 8. On August 17, 2000, Lori Asa received a call from Andrea Roberts concerning
24 Respondent's license. She was told by a lender who called to verify her license that it
25 was cancelled. Lori Asa indicated that she had spoken with the lender and that
26 Respondent's license was cancelled on September 14, 1998 due to a surety bond

1 cancellation. Andrea Roberts indicated that they have been operating the entire time.
2 She indicated they currently had two applications pending. She did say 95% of the
3 business is commercial lending which excluded from the licensing requirements.

4 9. On August 21, 2000, Andrea Roberts brought a completed mortgage lender
5 application, licensing fee and surety bond to the Division office along with a list of all
6 applications taken since the license had been cancelled on September 14, 1998.

7 10. On August 23, 2000, the Division issued license number 2214 to Prestige
8 Mortgage Services, Inc.

9 11. The list provided by the Respondent indicates that fourteen residential
10 mortgage loan applications were taken but not funded and five residential mortgage
11 loans funded in the period of time between September 14, 1998 and August 23, 2000.

12 **CONCLUSIONS OF LAW**

13 The Director **CONCLUDES** that:

14 1. Respondent violated ORS 59.845 by conducting unlicensed activity between
15 September 14, 1998 and August 17, 2000.

16 **ORDER**

17 The Director, pursuant to ORS 59.885(4), hereby **ORDERS** that Prestige
18 Mortgage Services fka Prestige Mortgage Inc. will **CEASE AND DESIST** from violating
19 any provision of Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-
20 0010 and any rule, order, or policy issued by the Division.

21 The Director, pursuant to ORS 59.996 hereby **ORDERS** Prestige Mortgage
22 Services fka Prestige Mortgage Inc. to pay the State of Oregon a civil penalty of
23 \$6,200.00. The civil penalty is based upon \$5000 fine for conducting unlicensed branch
24 activity plus \$100 for each of five loans closed and \$50 for each of fourteen loan
25 application taken before Respondent was licensed.

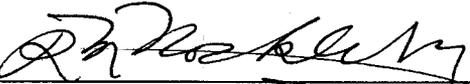
26 The Director suspends payment of \$5,580.00 of the assessed civil penalty for a

1 three year period. If in the period between the date of the Order to three years from the
2 date of the Order, Respondent violates any provision of Oregon's Mortgage Lender Law.
3 OAR 441-850-0005 through 441-885-0010 or any rule, order, or policy issued by the
4 Division, the suspended portion of the assessed civil penalty will become immediately
5 due and payable. If the Respondent does not violate Oregon's Mortgage Lender Law,
6 OAR 441-850-0005 through 441-885-0010 or any rule, order, or policy issued by the
7 Division in the three year period, the suspended portion of the civil penalty is waived.
8 The date of the Order is the date the Director signs the Order.

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

11 Dated this 15th day of September, 2000.

12
13 **MARY C. NEIDIG, DIRECTOR**
14 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

15
16 by 
17 **R.M. NOCKLEBY, ADMINISTRATOR**
18 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

19 **CONSENT TO ENTRY OF ORDER**

20 I, ANDREA ROBERTS, state that I am SECRETARY/TREAS
21 of Prestige Mortgage Services fka Prestige Mortgage Inc., and I am authorized to act
22 on its behalf; that I have read the foregoing Order and that I know and fully understand
23 the contents hereof; that Prestige Mortgage Services fka Prestige Mortgage Inc. admits
24 the findings of fact herein, voluntarily consents to the entry of this Order without further
25 hearing, expressly waiving any right to a hearing in this matter; that Prestige Mortgage
26 Services fka Prestige Mortgage Inc. understands that the Director reserves the right to

1 take further actions to enforce this order or to take appropriate action upon discovery
2 of other violations of Oregon Mortgage Lender Law; and that Prestige Mortgage
3 Services fka Prestige Mortgage Inc. will fully comply with Oregon Mortgage Lender Law.

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

5 Dated this 30 day of August, 2000.

6
7 By Andrea Roberts Sec / TREAS
(Office Held)

8
9 Andrea Roberts
(Signature)

10 **CORPORATE ACKNOWLEDGMENT**

11 There appeared before me this 30th day of August, 2000,
12 Andrea Roberts, who was first duly sworn on oath, and stated that she was
13 and is the Sec / Treas of Prestige Mortgage Services fka Prestige Mortgage
14 Inc. and Andrea Roberts is authorized and empowered to sign this Consent to
15 Entry of Order on behalf of Prestige Mortgage Services fka Prestige Mortgage Inc. and
16 to bind Prestige Mortgage Services fka Prestige Mortgage Inc. to the terms hereof.
17

18 [Signature]
19 Signature of Notary Public
20 Notary Public for the State of: Oregon
21 My Commission expires: 4/18/03

