

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

6 In the Matter of)
7)
8)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)

**PAC WEST MORTGAGE &
INVESTMENTS AND RON OGLE**

ORDER NO. O-01-0009

**CEASE AND DESIST ORDER AND
CONSENT TO IMPOSITION OF CIVIL
PENALTIES**

To: Ron Ogle
Pac West Mortgage & Investments
776 Rogue River Hwy.
P O Box 5310
Grants Pass OR 97527



WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter "the Director") conducted an investigation of Pac West Mortgage & Investments and Ron Ogle, and determined that Pac West Mortgage & Investments and Ron Ogle engaged in activities constituting violations of ORS 59.840 through 59.965 (hereinafter "the Oregon Mortgage Lender Law"); and

WHEREAS Pac West Mortgage & Investments and Ron Ogle wish to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signatures subscribed on this order Pac West Mortgage & Investments and Ron Ogle hereby **CONSENT** 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:

1. Pac West Mortgage & Investments (hereinafter "Respondent"), incorporated

1 in Oregon on January 27, 2000, engaged in residential mortgage transactions in Oregon
2 or on Oregon real property in expectation of compensation.

3 2. Neither Respondent nor Ron Ogle has ever applied for or been licensed as a
4 mortgage banker or broker in the State of Oregon.

5 3. Neither Respondent nor Ron Ogle qualify for an exemption to the Oregon
6 Mortgage Lender Law's licensing requirements.

7 4. In January 2001, Respondent, through owner Ron Ogle, took two Oregon
8 residential mortgage loan applications and submitted both applications to Sierra Pacific
9 Mortgage Company, Inc. for funding.

10 5. On February 8, 2001, in order to complete the conditions required before
11 funding on both loan applications, Ron Ogle forged a mortgage lender license for
12 Respondent and faxed the forgery to Sierra Pacific Mortgage Company, Inc.

13 6. On February 9, 2001, Sierra Pacific Mortgage Company, Inc. was instructed
14 by the Director that the license submitted on behalf of Respondent by Ron Ogle was not
15 valid.

16 7. The two consumer loan applications were funded but neither the Respondent
17 nor Ron Ogle were compensated for the brokering activities in connection with the two
18 consumers' loans.

19 8. Ron Ogle and Pac West Mortgage & Investments both agree not to file any
20 mortgage lender license application for a period of three years from the date of this
21 Order.

22 9. Ron Ogle agrees that if he is employed in a position that requires the use of
23 a mortgage lender license during the three year period beginning with the date of this
24 Order, he will provide notice to the Division within 30 days following the acceptance of
25 such employment. Ron Ogle agrees that the notice will contain the name and location
26 of the licensee with whom he will be employed. Ron Ogle further agrees to amend the

1 notice within 30 days of any change of the information contained in the notice.

2 10. Ron Ogle and Pac West Mortgage & Investments acknowledge that the civil
3 penalty negotiated in this matter was based upon the representations made by Ron
4 Ogle and Respondent in paragraphs 8 and 9 of this Order and that any act which would
5 contradict those statements is grounds for the Division to impose the suspended portion
6 of the civil penalty.

7 **CONCLUSIONS OF LAW**

8 The Director **CONCLUDES** that:

9 1. Pac West Mortgage & Investments and Ron Ogle violated ORS 59.845(1) by
10 engaging in Oregon residential mortgage transactions without a license.

11 2. Pac West Mortgage & Investments and Ron Ogle violated ORS 59.930(3) by
12 engaging in an act, practice, or course of business which would operate as a fraud or
13 deceit upon any person when Pac West Mortgage & Investments forged the license and
14 submitted it to Sierra Pacific Mortgage Company, Inc. as a valid license.

15 3. Pac West Mortgage & Investments and Ron Ogle engaged in a dishonest,
16 fraudulent, or illegal practice in any business by forging a mortgage lender license which
17 is grounds to deny a license to Pac West Mortgage & Investments and Ron Ogle
18 pursuant to ORS 59.865(2).

19 **ORDER**

20 The Director, pursuant to ORS 59.885(4), hereby **ORDERS** that Pac West
21 Mortgage & Investments and Ron Ogle will **CEASE AND DESIST** from violating any
22 provision of the Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-
23 0010 and any rule, order, or policy issued by the Division.

24 The Director, pursuant to ORS 59.996 hereby **ORDERS** Pac West Mortgage &
25 Investments and Ron Ogle, jointly and severally, to pay the State of Oregon a civil
26 penalty of \$6,100.00. The civil penalty is based upon \$5,000.00 for knowingly engaging

1 in unlicensed activity, \$100.00 for taking two application while not licensed (\$50.00 per
2 application), and \$1000.00 for engaging in an act or practice which would operate as
3 a fraud upon any person.

4 The Director suspends payment of \$5490.00 of the assessed civil penalty for a
5 three year period. If in the period between the date of the Order to three years from the
6 date of the Order, Pac West Mortgage & Investments or Ron Ogle apply for a mortgage
7 lender license or violate any provision of the Oregon Mortgage Lender Law, OAR 441-
8 850-0005 through 441-885-0010 or any rule, order, or policy issued by the Division, the
9 suspended portion of the assessed civil penalty will become immediately due and
10 payable. If in the period between the date of the Order to three years from the date of
11 the Order, Ron Ogle fails to notify the Division within 30 days following the acceptance
12 of employment in a position that requires the use of a mortgage lender license or to
13 amend the notice within 30 days of any change of the information contained in the
14 notice, the suspended portion of the assessed civil penalty will become immediately due
15 and payable by Ron Ogle. If neither Pac West Mortgage & Investments nor Ron Ogle
16 violate the Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-0010
17 or any rule, order, or policy issued by the Division, apply for a license, or fail to notify the
18 Director of Ron Ogle's employment in a position requiring a mortgage lender license in
19 the three year period, the suspended portion of the civil penalty is waived. The date of
20 the Order is the date the Director signs the Order.

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

23 Dated this 29th day of March, 2001.

24
25 **MARY C. NEIDIG, DIRECTOR**
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

1
2 by *R.M. Nockleby*
3 **R.M. NOCKLEBY, ADMINISTRATOR**
4 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

5 **CONSENT TO ENTRY OF ORDER**

6 I, *Ron Ogle*, state that I am *Manager*
7 of Pac West Mortgage & Investments, and I am authorized to act on its behalf; that I
8 have read the foregoing Order and that I know and fully understand the contents hereof;
9 that Pac West Mortgage & Investments admits the findings of fact herein, voluntarily
10 consents to the entry of this Order without further hearing, expressly waiving any right
11 to a hearing in this matter; that Pac West Mortgage & Investments understands that the
12 Director reserves the right to take further actions to enforce this order or to take
13 appropriate action upon discovery of other violations of Oregon Mortgage Lender Law;
14 and that Pac West Mortgage & Investments will fully comply with Oregon Mortgage
15 Lender Law.

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

17 Dated this *23* day of *March*, *2001*.

18 By *Ron Ogle* *Manager*
19 (Office Held)

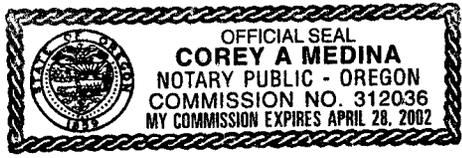
20 *Ron Ogle*
21 (Signature)

22 **CORPORATE ACKNOWLEDGMENT**

23 There appeared before me this *23* day of *March*, *2001*,
24 *Ron Ogle*, who was first duly sworn on oath, and stated that s/he was
25 and is the *Manager* of Pac West Mortgage & Investments and
26 *Ron Ogle* is authorized and empowered to sign this Consent to Entry of

1 Order on behalf of Pac West Mortgage & Investments and to bind Pac West Mortgage
2 & Investments to the terms hereof

3 
4 Signature of Notary Public
5 Notary Public for the State of: OREGON
6 My Commission expires: 4-28-02



7 **CONSENT TO ENTRY OF ORDER**

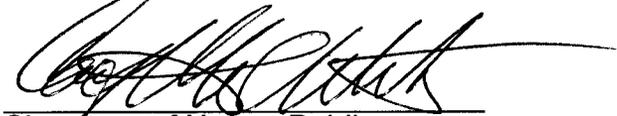
8 I, Ron Ogle, state that I have read the foregoing Order and that I know and fully
9 understand the contents hereof; that I admit the findings of fact herein, voluntarily
10 consent to the entry of this Order without further hearing, expressly waiving any right to
11 a hearing in this matter; that I understand that the Director reserves the right to take
12 further actions to enforce this order or to take appropriate action upon discovery of other
13 violations of Oregon Mortgage Lender Law; and that I will fully comply with Oregon
14 Mortgage Lender Law.

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

16 Dated this 23 day of MARCH, 2001.

17 By 
18 Ron Ogle

19 Sworn to before me this 23 day of MARCH, 2001.

20 
21 Signature of Notary Public
22 Notary Public for the State of: OREGON
23 My Commission expires: 4-28-02

