

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

4 In the Matter of
5 LOAN LINK FINANCIAL SERVICES

ORDER NO. O-02-0053
CEASE AND DESIST ORDER AND
CONSENT TO IMPOSITION OF CIVIL
PENALTIES

7 To: Loan Link Financial Services
8 31 Jouney Suite 200
9 Aliso Viejo CA 92656

MAY 2003
Received
ML Program
DFCS

10 WHEREAS the Director of the Department of Consumer and Business Services
11 for the State of Oregon (hereinafter "the Director") conducted an investigation of Loan
12 Link Financial Services, and determined that Loan Link Financial Services engaged in
13 activities constituting violations of ORS 59.840 through 59.965 (hereinafter "the Oregon
14 Mortgage Lender Law"); and

15 WHEREAS Loan Link Financial Services wishes to resolve and settle this matter
16 with the Director;

17 NOW THEREFORE, as evidenced by the authorized signatures subscribed on
18 this order Loan Link Financial Services hereby CONSENTS to entry of this order upon
19 the Director's Findings of Fact and Conclusions of Law as stated hereinafter:

20 FINDINGS OF FACT

21 The Director FINDS that:

22 1. Loan Link Financial Services (hereinafter "Respondent"), incorporated in
23 California on November 23, 1987 engages in residential mortgage transactions in
24 Oregon or on Oregon real property in expectation of compensation.

25 2. The Director has licensed Respondent to engage in Oregon residential
26 mortgage lending since August 2, 2000.

1 3. Terry Liebman owns 33% of Respondent. Phil Romero owns 35% of
2 Respondent. Michael Siegel owns 32% of Respondent.

3 4. On October 12, 2001, the Director sent notice to all licensees that there had
4 been changes in the Oregon Mortgage Lender Law and proposed changes in the
5 administrative rules.

6 5. In January 2002, the Director published a new issue of the Mortgage Lender
7 News on the web site which included an explanation of the new notification
8 requirements.

9 6. On February 14, 2002, the Director sent a notice to all licensees that the final
10 rules had been approved and were available on the web site along with the January
11 2002 issue of the Mortgage Lender News which explained the new requirements.

12 7. On August 9, 2002, the Director sent a letter (hereinafter "the August 9, 2002
13 letter") to Respondent informing Respondent that the Director had not received
14 notification of Respondent's loan originators and requesting that Respondent provide
15 the required information by September 1, 2002 to avoid civil penalties.

16 8. On September 1, 2002, the Director had not received notification of
17 Respondent's loan originators.

18 9. On September 26, 2002, the Director left a voice mail message for Sherry
19 Beall, the contact person for Respondent, informing Respondent that the Director had
20 not received the required loan originator information and that the Director was beginning
21 the process of issuing civil penalties to companies that failed to comply with the
22 notification requirements but if Respondent submitted their information prior to Director
23 commencing administrative action that the information would be accepted as compliant.

24 10. On September 26, 2002, the Director received a voice mail message from
25 Rebecca Gomez, an employee of Respondent, indicating that she needed a copy of the
26 August 9, 2002 letter.

1 11. On September 26, 2002, the Director sent a facsimile to Respondent including
2 the August 9, 2002 letter and the loan originator notification form that needed to be
3 completed by Respondent to be in compliance with the notification requirements.

4 12. As of October 23, 2002, the Director had not received the required notification
5 and commenced an administrative action for a violation of ORS 59.969(1) and OAR
6 441-880-0030(1).

7 13. Upon learning of the administrative action, Respondent contacted the Director
8 to assert that the materials were mailed on October 14, 2002.

9 14. The Director did not receive the materials that were mailed on October 14,
10 2002 but did receive the materials from Respondent on November 5, 2002

11 **CONCLUSIONS OF LAW**

12 The Director **CONCLUDES** that:

- 13 1. Respondent violated OAR 441-880-0030(1) by failing to produce the required
14 information about Respondent's loan originators by January 30, 2002.
- 15 2. Respondent violated ORS 59.969(1) by failing to provide to the Director information
16 about Respondent's loan originators.

17 **ORDER**

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

22 The Director, pursuant to ORS 59.996 hereby **ORDERS** Loan Link Financial
23 Services to pay the State of Oregon a civil penalty of \$5,000.

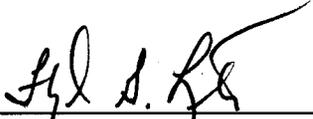
24 The Director suspends payment of \$2,500 of the assessed civil penalty for a
25 three-year period. If in the period between the date of the Order to three years from the
26 date of the Order, Loan Link Financial Services violates any provision of the Oregon

1 Mortgage Lender Law. OAR 441-850-0005 through 441-885-0010 or any rule, order, or
2 policy issued by the Division, the suspended portion of the assessed civil penalty will
3 become immediately due and payable. If Loan Link Financial Services does not violate
4 the Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-0010 or any
5 rule, order, or policy issued by the Division in three years from the date of the Order, the
6 suspended portion of the civil penalty is waived.

7 The date of this order is the day the Director signs the order. The entry of this
8 Order in no way limits further remedies which may be available to the Director under
9 Oregon law.

10 Dated this 30th day of MAY, 2003.

11 **CORY STREISINGER, DIRECTOR**
12 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

13
14 by 
15 **FLOYD G. LANTER, ADMINISTRATOR**
16 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

17 **CONSENT TO ENTRY OF ORDER**

18 I, Terry Liebman, state that I am the
19 President of Loan Link Financial Services, and I am authorized to act
20 on its behalf; that I have read the foregoing Order and that I know and fully understand
21 the contents hereof; that Loan Link Financial Services admits the findings of fact herein,
22 voluntarily consents to the entry of this Order without further hearing, expressly waiving
23 any right to a hearing in this matter; that Loan Link Financial Services understands that
24 the Director reserves the right to take further actions to enforce this order or to take
25 appropriate action upon discovery of other violations of Oregon Mortgage Lender Law;
26 and that Loan Link Financial Services will fully comply with Oregon Mortgage Lender

1 Law. I understand that this Consent Order is a public document.

2 Dated this 15 day of May, 2003.

3 By LoanLink Financial Services, President
4 (Office Held)

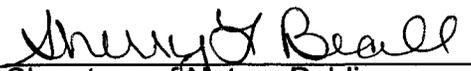
5 
6 (Signature)

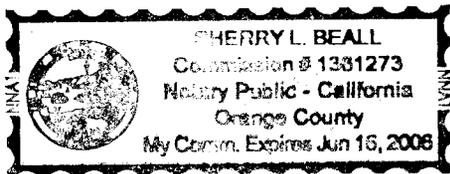
7 **CORPORATE ACKNOWLEDGMENT**

8 There appeared before me this 22nd day of May, 2003,

9 Terry Liebman, who was first duly sworn on oath, and stated that s/he was
10 and is the President of Loan Link Financial Services and

11 Terry Liebman is authorized and empowered to sign this Consent to Entry of
12 Order on behalf of Loan Link Financial Services and to bind Loan Link Financial
13 Services to the terms hereof.

14
15 
16 Signature of Notary Public
17 Notary Public for the State of: California
18 My Commission expires: June 16, 2006



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