

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

5 In the Matter of:
6 Financial Advisors,
7 Respondent.

M-05-0042
FINAL ORDER TO CEASE AND DESIST -
BY DEFAULT

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10 On June 13, 2005, the Director of the Department of Consumer and Business
11 Services for the State of Oregon (hereafter the "Director"), acting by and pursuant to the
12 authority of Oregon Mortgage Lender Law, Chapter 59 of the Oregon Revised Statutes,
13 and other applicable authority, issued Administrative Order No. M-05-0042 to Cease
14 And Desist And Assessing Civil Penalties And Notice Of Right To Hearing (hereafter
15 "the Order") against Respondent Financial Advisors.

16 On June 14, 2005, Respondent Financial Advisors was duly served with a true
17 copy of the Order and Notice by United States Mail, postage prepaid, and addressed to
18 Financial Advisors at the following last known address: 160 34 Computer Dr., Albany,
19 New York 12205, the address provided on Respondent's web site. The Order and
20 Notice sent by certified mail was returned by the US Post Office on June 24, 2005
21 marked "attempted, not known." The Order and Notice sent by regular first class mail
22 was returned by the US Post Office on June 23, 2005 marked "undeliverable as
23 addressed, no forwarding order on file."

24 On June 14, 2005, Respondent Financial Advisors was duly served with a true
25 copy of the Order and Notice by United States Mail, postage prepaid, and addressed to
26 Mark Brown at the following last known address: 114 Alton Towers Scarborough,

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387





1 Ontario M1B 5M7, the address provided in the registration of Respondent's web site
2 since the address on Respondent's web site does not exist. The Order and Notice sent
3 by certified mail was returned by the US Post Office on July 6, 2005 marked "no such
4 address." The Order and Notice sent by regular first class mail was returned by the
5 US Post Office on July 1, 2005 marked "moved / unknown" with the handwritten
6 notation "RTS [return to sender] wrong address."

7 On June 14, 2005, Respondent Financial Advisors was duly served with a true
8 copy of the Order and Notice by United States Mail, postage prepaid, and addressed to
9 Mark Brown at the following last known address provided by Canadian authorities: 3015
10 Queen St. E. Scarborough, Ontario M1N 1A5. The Order and Notice sent by certified
11 mail was not returned by the US Post Office as of July 18, 2005. On July 2, 2005, the
12 Order and Notice sent by regular mail was returned by the US Post Office marked
13 "unclaimed." On July 14, 2005, the Director received a letter from Mark Brown at 3015
14 Queen St. E. Scarborough, Ontario M1N 1A5 indicating that he was not associated with
15 the web site www.financialadvisors.com but did not request a hearing.

16 On June 14, 2005, Respondent Financial Advisors was duly served with a true
17 copy of the Order and Notice by United States Mail, postage prepaid, and addressed to
18 Hawk Warden, to whom the phone number 647-227-8915 is registered, at the following
19 last known address: 33 King Street Apt. 1417, York, Ontario M9N 3R7. The Order and
20 Notice sent by certified mail was not returned by the US Post Office as of July 18, 2005.
21 The Order and Notice sent by regular first class mail was returned by the US Post Office
22 on July 1, 2005 marked "moved / unknown."

23 Respondent Financial Advisors has not made a written request for a contested
24 case hearing in this matter and the time to do so has expired.

25 **NOW THEREFORE**, after consideration of the Investigation Report and
26 accompanying exhibits submitted in this matter by Kirsten Anderson, Enforcement

1 Officer, the Director hereby issues the following Findings of Fact, Conclusions of Law,
2 and Final Order:

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4 **FINDINGS OF FACT**

5 The Director **FINDS** that:

6 1. As of January 6, 2005, Financial Advisors (herein "Respondent") operated
7 a web site located at www.finanadvisors.com. The web site stated that Respondent
8 was licensed to conduct business in Oregon with mortgage lender license number ml-
9 2849. The web site stated that Respondent's address is 160 34 Computer Dr., Albany,
10 New York 12205.

11 2. The Director first licensed Global Home Loans & Finance, Inc. dba
12 Directloansource.com (hereinafter "Global Home") to engage in Oregon residential
13 mortgage lending with Oregon mortgage lender license number ml-2849 on May 1,
14 2003. Global Home has maintained that license in effect continuously through the date
15 of this order, including January 6, 2005.

16 3. On January 6, 2005, Global Home reported that Respondent did not have
17 Global Home's permission to use Global Home's license or to make reference to Global
18 Home's license on the web site www.finanadvisors.com or elsewhere.

19 4. The web site www.finanadvisors.com was registered by Mark Brown with
20 an address of 114 Alton Towers in Scarborough, Ontario M1B 5M7, Canada. The
21 information included a telephone number of 647-227-8915 and an e-mail address of
22 cab67@hotmail.com.

23 5. The Director has not issued Oregon mortgage lending license number ml-
24 2849, or any other residential mortgage lender license number, to Respondent or Mark
25 Brown.

26 **III**



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CONCLUSIONS OF LAW

The Director **CONCLUDES** that:

1. Respondent violated ORS 59.930(3) by engaging in an act, practice or course of business which operates or would operate as a fraud or deceit upon any person by using Global Home's license number on Respondent's web site when Respondent did not Global Home's permission to use the license.

2. Respondent violated ORS 59.930(3) by engaging in an act, practice or course of business which operates or would operate as a fraud or deceit upon any person by representing that Respondent was an Oregon licensed mortgage lender on its web site when it was not licensed in Oregon to engage in mortgage lending.

ORDER

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

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

1. Violating any provision of Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-0010 and any rule, order, or policy issued by the Director.

2. Representing that Respondent is licensed to engage in Oregon residential mortgage lending under license number ml-2849.

3. Engaging in or representing that Respondent is licensed to engage in Oregon residential mortgage brokering or banking until such time that the Director issues a license to Respondent to engage in Oregon residential mortgage lending.

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

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IT IS SO ORDERED.

Dated this 21ST day of July, 2005, at Salem, Oregon.

CORY STREISINGER, Director
Department of Consumer and Business Services



Floyd Lanter, Administrator
Division Of Finance And Corporate Securities

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

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