

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

4 In the Matter of:

M-06-0029-2

5 Christopher Fisher

ORDER TO CEASE AND DESIST

6 Respondent.

And

7 CONSENT TO ENTRY OF ORDER

8
9 WHEREAS the Director of the Department of Consumer and Business Services
10 for the State of Oregon (hereinafter "the Director"), through the Division of Finance and
11 Corporate Securities (hereinafter "the Division"), conducted an investigation of Valley
12 Central Mortgage LLC, and Christopher Fisher and determined that Christopher Fisher
13 does not meet the experience-person requirement of ORS 59.850; and

14 WHEREAS Christopher Fisher does not admit nor deny the Findings of Fact and
15 Conclusion of Law contained herein, but wishes to resolve and settle this matter with
16 the Director,

17 NOW THEREFORE, as evidenced by the authorized signature subscribed on
18 this order, Christopher Fisher hereby **CONSENTS** to entry of this order upon the
19 Director's Findings of Fact and Conclusions of Law as stated hereinafter:

20
21 **FINDINGS OF FACT**

22 The Director **FINDS** that:

23 **Background**

24 1. Valley Central Mortgage LLC is an Oregon limited liability corporation formed on
25 September 29, 2004. Prior to July 27, 2006, Elton Lafky owned 90% of Valley Central
26 Mortgage LLC and Karen L. Dilday owned 10% of Valley Central Mortgage LLC and

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Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
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1 acted as the company's experienced person. Prior to July 27, 2006, Valley Central
2 Mortgage LLC operated from 349 Union Street in Salem, Oregon 97301. On July 27,
3 2006, Valley Central Mortgage LLC reported only Elton Lafky and Christopher Fisher as
4 members of the LLC to the Oregon Secretary of State, Corporation Division and the
5 company had relocated to 1111 S. Main Street in Lebanon, Oregon 97355.

6 2. On January 4, 2006, the Division conducted an examination of the books and
7 records of Valley Central Mortgage LLC (hereinafter "2006 examination"). The 2006
8 examination revealed a number of violations of the Oregon Mortgage Lender Law.

9 3. On March 21, 2006, the Division issued a 90-day temporary license allowing time
10 for the Division and Valley Central Mortgage LLC to address the 2006 examination
11 issues and the future of the company.

12 4. On May 9, 2006, Valley Central Mortgage LLC filed a written response to the
13 2006 examination results with the Director (hereinafter "May Response"). As part of the
14 response, Valley Central Mortgage LLC provided an education certificate for Fisher
15 indicating that he completed the required 20 hours of entry-level education on April 24,
16 2006, over six months after he was first reported as a loan originator on October 1,
17 2005.

18 5. As part of the May Response, Valley Central Mortgage LLC also included a copy
19 of "a checklist of required disclosures needed in each file and instructed the loan
20 officers to put this list in their files to ensure that the file will be in compliance." Valley
21 Central Mortgage LLC provided the Division a copy of the checklist in the May
22 Response. The checklist did not include items required to be in the file by OAR 441-
23 865-0060 including a borrower executed loan application, the final credit report or the
24 credit report used to made the loan decision and the final HUD-1 Settlement Statement.

25 6. From June through August 2006, Fisher participated in a number of meetings
26 with Division representatives regarding the 2006 examination and licensing issues and

1 supervision occurring at Valley Central Mortgage LLC. Fisher asserted that he had the
2 necessary understanding of the Oregon Mortgage Lender Law to fulfill the supervisory
3 role for Valley Central Mortgage LLC and that he would draft appropriate policies and
4 procedures to govern the company's operation.

5 7. On August 24, 2006, Valley Central Mortgage LLC provided a copy of the
6 company's policies and procedures manual relating to lending that Fisher had
7 previously indicated he would draft. The manual indicated that Fisher would supervise
8 the mortgage-lending related activities of the company. 8. A review of the manual
9 revealed that much of it did not comply with the requirements of the Oregon Mortgage
10 Lender Law, the accompanying administrative rules and the federal laws relating to
11 lending requirements.

12 13 CONCLUSION OF LAW

14 The Director **CONCLUDES** that Christopher Fisher does not meet the
15 experience person requirement in ORS 59.850.

16 17 ORDER

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

22 The Director, pursuant to ORS 59.996, hereby **ORDERS** that Christopher Fisher
23 shall not be a owner, partner, officer or director of a mortgage banker or mortgage
24 broker, occupy a similar status or perform similar functions, or directly or indirectly
25 control the mortgage banker or mortgage broker until he has (1) been employed as a
26 loan originator by a mortgage broker or mortgage banker licensed in Oregon for a total



1 of thirty-six months, excluding his affiliation with Valley Central Mortgage LLC, or (2)
2 demonstrated to the Director that he has attained the skills and knowledge required of
3 an experienced person under ORS 59.850.

4 The date of this order is the day the Director or Director's nominee signs the
5 order. The entry of this Order in no way limits further remedies which may be available
6 to the Director under Oregon law.

7 Dated this 23rd day of February, 2007, at Salem, Oregon.

8 CORY STREISINGER, Director
9 Department of Consumer and Business Services

10 

11 David Tatman, Administrator
12 Division of Finance and Corporate Securities

13
14 **CONSENT TO ENTRY OF ORDER**

15 I, Christopher Fisher, state that have read the foregoing Order and that I know
16 and fully understand the contents herein; that I neither admit nor deny the Findings of
17 Facts and Conclusion of Law contained herein; that I have been advised of the right to a
18 hearing and of the right to be represented by counsel in this matter; that I voluntarily and
19 without any force or duress, consent to the entry of this Order, expressly waiving any
20 right to a hearing in this matter; that I understand that the Director reserves the right to
21 take further actions to enforce this Order or to take appropriate action upon discovery of
22 other violations of the Oregon Mortgage Lender Law; and that I will fully comply with the
23 terms and conditions stated herein.

24 I further assure the Director that neither I nor any employees or agents of mine
25 will effect mortgage transactions in Oregon unless such activities are in full compliance
26 with Chapter 59 of the Oregon Revised Statutes and authorized by the Director.



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I understand that this Consent Order is a public document.

Dated this 24 day of JAN, 2007

By [Signature]
Christopher Fisher

ACKNOWLEDGMENT

Sworn to under oath before me this 24 day of Jan. 2007 by Christopher Fisher.



Karla Garcia
Notary Public
For the State of: Oregon
My commission expires: Max Nov. 23-2008

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