

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:

M-07-0011

6 A-1 Mortgage C.D LLC dba The
7 American Home Lending Group,

ORDER OF DENIAL OF MORTGAGE
BANKER/BROKER LICENSE BY
DEFAULT

8 Respondent.

9
10 On April 25, 2007, 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-07-0011, Order of
14 Denial of Mortgage Banker/Broker License and Notice of Right to Hearing (hereinafter
15 "Order and Notice") against A-1 Mortgage C.D LLC dba The American Home Lending
16 Group (hereinafter "Respondent").

17 On April 26, 2007, Respondent was duly served with a true copy of the Order
18 and Notice by personal service on owner and registered agent, Christina Lee Greening,
19 at Respondent's place of business, 319 A Street in Springfield, Oregon 97477.

20 Respondent has not made a written request for a contested case hearing in this
21 matter and the time to do so has expired.

22 **NOW THEREFORE**, after consideration of the Investigation Report and
23 accompanying exhibits submitted in this matter by Kirsten Anderson, Enforcement
24 Officer, the Director hereby issues the following Findings of Fact, Conclusions of Law,
25 and Final Order:

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4140



FINDINGS OF FACT

The Director **FINDS** that:

1. Respondent is an Oregon limited liability company with a principal place of business located at 319 A Street in Springfield, Oregon 97477.

2. On or about April 4, 2007, Respondent applied to obtain an Oregon mortgage lender license. The application listed Christina Lee Greening as the sole owner and President of the company. Fidel Garcia is listed as the experienced person and manager. Greening and Garcia were the only loan originators listed for the company. No other names were submitted with the application.

3. The application demonstrates that within the past five years, Greening has only six months experience as a loan originator and, at most, twenty-one months experience as a real estate broker, however during six of those months she also acted as a loan originator.

4. Fidel Garcia is the subject of an Order to Cease and Desist, Order Assessing Civil Penalties and Consent to Entry of Order in case number M-04-0028-A issued by the Director on July 7, 2005 (hereinafter "the 2005 Order"). Garcia consented to the entry of the 2005 Order, specifically acknowledging his right to a hearing and waiving that right.

5. The 2005 Order, attached as Attachment A and hereby incorporated herein, concludes that Garcia violated ORS 59.967(2) by operating as a loan originator for two mortgage companies at the same time and contains findings of fact supporting that conclusion.

6. The 2005 Order imposed civil penalties of \$5,000 against Garcia. The 2005 Order suspended \$1,000 of the civil penalties. It further provided a payment plan for the remaining \$4,000 in civil penalties to be paid by monthly installments of \$300 beginning with May 1, 2005. If any monthly payment was not received by the fifth day of the



1 month, the entire civil penalty of \$5,000 minus any payments previously made became
2 immediately due and payable.

3 7. Garcia failed to comply by the payment plan in the 2005 Order. He only
4 made payments of \$300 on May 31, 2005, \$300 on July 1, 2005, and two \$300
5 payments on December 6, 2005. As of the date of this Order, Garcia has only paid
6 \$1,200 of the \$5,000 civil penalty, leaving a past-due outstanding balance of \$3,800.

8 CONCLUSIONS OF LAW

9 The Director **CONCLUDES** that:

10 1. Garcia has engaged in unethical practices or conduct in the mortgage
11 business by working for two companies at the same time in violation of ORS 59.967(2)
12 as noted in the 2005 Order, which constitutes grounds to deny the application by
13 Respondent under ORS 59.865(2) in connection with ORS 59.870.

14 2. Garcia is the subject of the 2005 Order which is a cease and desist order
15 entered within the past five years by the Director after notice and opportunity to be
16 heard, which constitutes grounds to deny the application by Respondent under ORS
17 59.865(13) in connection with ORS 59.870.

18 3. Because Greening has only six months experience as a loan originator
19 and, at most, fifteen months additional experience as a real estate broker in the past
20 five years, which is credited at one month experience for every three months as a real
21 estate broker pursuant to OAR 441-860-0060(2)(f), Greening has, at most, eleven
22 months of the 36 months required by ORS 59.850(2) to qualify as an experienced
23 person, she does not qualify to be the experienced person for Respondent.

24 4. Since neither Garcia nor Greening can act as the experience person for
25 the Respondent and they were the only names submitted by Respondent, Respondent
26 does not have an experienced person, which constitutes grounds to deny the



1 application to Respondent under ORS 59.865(10).

3 ORDER

4 NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDER:

5 The Director, pursuant to ORS 59.865(2) and (13), hereby DENIES a mortgage
6 lender license to A-1 Mortgage C.D LLC dba The American Home Lending Group.

8 IT IS SO ORDERED.

9 Dated this 4th day of June, 2007, at Salem, Oregon, Nunc Pro Tunc April 25, 2007.

10 CORY STREISINGER, Director
11 Department of Consumer and Business Services

12 

13 David Tatman, Administrator
14 Division of Finance and Corporate Securities

15 NOTICE: You are entitled to judicial review of this Order. Judicial review
16 may be obtained by filing a petition with the Court of Appeals in Salem, Oregon
17 within 60 days from the service of this Order. Judicial review is pursuant to the
18 provisions of ORS 183.482 to the Oregon Court of Appeals.

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