

1 was not returned.

2 Respondent has not advised the Division of Finance and Corporate Securities
3 (the "Division") of any change in its address or cessation of business at any of its
4 offices, as required by Oregon Administrative Rule ("OAR") 441-860-0070.

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

7 NOW THEREFORE, after consideration of the Division's investigative file and
8 related documents, the Director hereby issues the following Findings of Fact,
9 Conclusions of Law, and Final Order.

10

11

FINDINGS OF FACT

12 The Director **FINDS** that:

13 1. Respondent is an Oregon corporation whose principal place of business as
14 listed with the Division of Finance and Corporate Securities is 1621 Columbia Blvd., St.
15 Helens, OR 97051, and whose mailing address as listed with the Division is P.O. Box
16 839, St. Helens, Oregon 97051.

17 2. On October 26, 2007, a Division examiner (the "Examiner") completed an on-
18 site examination of Respondent's books and records. Respondent received a score of
19 4, out of 5, with 5 being the lowest, for deficiencies regarding criminal background
20 checks, inadequate borrower disclosures, and inadequate record keeping in borrower
21 files.

22 3. On or about November 2, 2007, Respondent was sent a copy of the
23 Examiner's report of the exam (the "Exam Report") with a cover letter requiring a written
24 response, pursuant to ORS 59.885(2), to the noted exam deficiencies within two weeks,
25 as well as an invoice for the costs of the exam.

26 4. On March 26, 2008, the Manager of the Mortgage Lender Section of the

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 Division (the "Manager") spoke with Respondent's owner, Mike Quinlin ("Quinlin"), who
2 indicated that he would send out the response in the next day or so.

3 5. On April 9, 2008, the Manager spoke with Quinlin, who again indicated that
4 he would respond to the Exam Report that day.

5 6. On April 30, 2008, the Manager left a voicemail instructing Respondent to
6 send in the overdue exam response.

7 7. On May 2, 2008, the Manager again left a voicemail instructing Respondent to
8 send in the overdue exam response.

9 8. On June 10, 2008, the Manager again left a voicemail instructing Respondent
10 to send in the overdue exam response.

11 9. On June 17, 2008, the Manager again left a voicemail instructing Respondent
12 to send in the overdue exam response. The same day the Manager sent Respondent a
13 letter instructing Respondent to send in the overdue exam response.

14 10. On July 22, 2008, the support person for the Mortgage Lender Section of the
15 Division (the "Assistant") again left a voicemail instructing Respondent to send in the
16 overdue exam response.

17 11. On August 5, 2008, the Assistant again left a voicemail instructing
18 Respondent to send in the overdue exam response.

19 12. On August 28, 2008, the Assistant called Respondent's phone number and
20 found that the phone and fax numbers were no longer in service. Upon learning that
21 these numbers were no longer in service, the Division support staff member left a
22 message on Quinlin's home phone number instructing Respondent to send in the
23 overdue exam response.

24 13. On September 9, 2008, the Manager sent Respondent a demand letter for
25 the unpaid exam fee.

26 14. On September 11, 2008, the Assistant called the home number for Quinlin

1 and found that that number was no longer in service.

2 15. On October 14, 2008, the Assistant sent an email to Quinlin instructing
3 Respondent to send in the overdue exam response.

4 16. Respondent refused to respond to the exam deficiencies or pay the invoice
5 for exam fees despite the approximately sixteen attempts made to obtain a response
6 them.

7 **CONCLUSIONS OF LAW**

8 17. Respondent violated ORS 59.885(2) by failing to file a statement in response
9 to the Exam Report, as required by the Director.

10 18. Respondent violated OAR 441-860-0110(2) by failing to pay the invoice for
11 the Division's examination of Respondent.

12 19. Respondent violated OAR 441-860-0070(i) by failing to notify the Director of
13 a change in Respondent's address, phone number and fax number within thirty (30)
14 days.

15 20. Respondent violated ORS 59.865(11), grounds for revoking a mortgage
16 banker or broker's license, by failing to respond to the Exam Report as required by the
17 Director.

18 **ORDER**

19 **NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:**

20 The Director, pursuant to its authority under ORS 59.865, ORS 59.885, and ORS
21 59.870, hereby **ORDERS** that Respondent shall **CEASE AND DESIST** from violating
22 any provision of Oregon Mortgage Lender Law, OAR 441-850-0005 through 441-885-
23 0010 and any rule, order or policy issues by the Division;

24 The Director, pursuant to ORS 59.865 hereby **REVOKES** the residential
25 mortgage banker / broker license of Respondent;

26 The Director, pursuant to ORS 59.996 and ORS 59.870 hereby **ORDERS**

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 Respondent to pay the State of Oregon a civil penalty of **\$2500**. The civil penalty is
2 based on \$1000 for violation of ORS 59.885(2), \$1000 for violation of OAR 441-860-
3 0110(2), and \$500 for violation of OAR 441-860-0070(i). This amount is due and
4 payable at the time of entry of the Order.

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

8
9 Dated this 27th day of April, 2009, at Salem, Oregon.

10 NUNC PRO TUNC December 19, 2008.

11
12 CORY STREISINGER, Director
13 Department of Consumer and Business Services

14
15 
16 David Tatman, Administrator
17 Division of Finance and Corporate Securities

18 **NOTICE OF APPEAL RIGHTS**

19 You are entitled to seek judicial review of this Final Order. Judicial review may be
20 obtained by filing a petition for review with the Oregon Court of Appeals in Salem,
21 Oregon within sixty (60) days from the date of service of this Final Order. Judicial
22 review is pursuant to the provisions of **ORS 183.482**.

23 //
24 //
25 //
26 //
//

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

