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3 **STATE OF OREGON**  
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**  
5 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

6 **BEFORE THE DIRECTOR OF THE DEPARTMENT**  
7 **OF CONSUMER AND BUSINESS SERVICES**

8 In the Matter of:

**DM-11-0016-1**

9 **JEFF BURLESON and**  
10 **GEOFF CHISHOLM,**  
11 dba Safe Harbor Northwest,

**FINAL ORDER TO CEASE AND DESIST**  
**AND ORDER ASSESSING CIVIL**  
**PENALTY ENTERED BY DEFAULT AS**  
**TO RESPONDENT JEFF BURLESON**

12 Respondents.

13 On April 22, 2011, the Director of the Department of Consumer and Business Services  
14 for the State of Oregon (hereafter “the Director”), acting pursuant to the authority contained in  
15 Oregon Revised Statutes (“ORS”) 86A.100 *et seq.*, and Oregon Administrative Rules (“OAR”) 441-850-0005 through 441-885-0010 (hereinafter “the Oregon Mortgage Lender Law”) and ORS 441-850-0005 through 441-885-0010 (hereinafter “the Oregon Mortgage Lender Law”) and ORS 697.602 to 697.842 and OAR 441-910-0000 through 441-910-0120 (hereinafter “the Oregon Debt Management Service Providers Law”) and other applicable authority, issued  
16 Administrative Order No. DM-11-0016, ORDER TO CEASE AND DESIST, NOTICE ORDER  
17 ASSESSING CIVIL PENALTY AND NOTICE OF RIGHT TO A HEARING (“the Notice  
18 Order”) against Respondent Jeff Burleson.

19 On April 25, 2011, Respondent Jeff Burleson was duly served with a true copy of the  
20 Notice Order by certified United States Mail, postage prepaid, Item No. 7008 3230 0001 1430  
21 5528, and addressed to Jeff Burleson, Safe Harbor Northwest, 2888 Loker Avenue East #106,  
22 Carlsbad, California 92009.

23 Respondent Jeff Burleson has not made a written request for a contested case hearing in  
24 this matter and time to do so has now expired.

25 NOW THEREFORE, after consideration of the file in this matter maintained by the  
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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, including any materials that Respondents may have submitted, the Director hereby  
2 issues the following Findings of Fact, Conclusions of Law, and Final Order.

3 **I.**

4 **FINDINGS OF FACT**

5 The Director FINDS that:

6 1. Respondent Jeff Burleson (“Burleson”) is a California resident whose last known  
7 address is 2888 Loker Avenue East #106, Carlsbad, California 92009.

8 2. At all times relevant to this matter, Respondent Burleson and Geoff Chisholm  
9 (“Chisholm”) (collectively “Respondents”) were doing business in Oregon using the assumed  
10 business name Safe Harbor Northwest. This assumed business name was registered with the  
11 Oregon Secretary of State on October 8, 2009. Chisholm was listed as the authorized  
12 representative and registrant on the assumed business name filing. Safe Harbor Northwest  
13 reportedly maintained two offices: one at 362 North Maple Lane in Sisters, Oregon, and one at  
14 2888 Loker Avenue East #106, Carlsbad, California 92009. Safe Harbor Northwest also used  
15 the mailing address of Post Office Box 1938, Sisters, Oregon 97759.

16 3. At all times relevant to this matter, Respondents Burleson and Chisholm, dba Safe  
17 Harbor Northwest, purported to, or attempted to, modify the home mortgage loans of 31 Oregon  
18 residents. Each of these residents held a mortgage loan on real property situated in Oregon.

19 4. Respondents Burleson and Chisholm, acting individually and in concert with each  
20 other and employees and/or other agents acting on their behalf, contacted Oregon homeowners  
21 after January 1, 2010 offering mortgage loan modification services. Respondents contracted  
22 with at least 31 Oregon residents facing foreclosure of their home loans. While the contracts  
23 with clients appeared to emphasize research about the client’s “debt situation,” the clients  
24 understood and believed that Burleson and Chisholm would work with the client’s lender to  
25 modify their home loan. Clients were each charged an initial upfront fee of between \$3,250 and  
26 \$3,500, although in some cases, Burleson and Chisholm took down payments of less than the full





1 fee. In some cases, Respondents contacted the clients' lenders or home loan servicers; in other  
2 cases, Respondents did not contact the clients' lenders or home loan servicers.

3 5. Respondents Burleson and Chisholm contacted Oregon homeowners by telephone,  
4 electronic mail, and United States mail. Respondents directed Oregon homeowners to review  
5 their website: [www.safeharbornorthwest.com](http://www.safeharbornorthwest.com).

6 6. On its website, Respondents Burleson and Chisholm offered the following services:  
7 payment reamortization, interest rate/payment rate reduction, principal reduction, deed in lieu of  
8 foreclosure, and short sales. The website represented Respondents Burleson and Chisholm as "a  
9 housing counseling firm specializing in emergency financial planning and long term foreclosure  
10 avoidance. \* \* \* We can help you regardless of whether you are currently delinquent, have  
11 received a notice of default or notice of trustee sale or even if you are currently making your  
12 payments on time." The website also provided: "We specialize in working with your lender, or  
13 lenders, to restructure your current loan(s) by providing you with a unique, professional plan that  
14 you and your lender can accept. \* \* \* We have helped hundreds of homeowners throughout the  
15 Northwest since 2008."

16 7. Each of the Respondents' Oregon clients suffered harm from the acts, omissions,  
17 practices or operations of the Respondents as a mortgage broker, mortgage banker, loan  
18 originator or debt management service provider. Respondents collected upfront fees from the  
19 clients and then did not perform the services they advertised about on their website to perform.  
20 In at least one instance, an Oregon client was charged overdraft charges from their bank because  
21 Respondents withdrew excessive fees from the client's account. Oregon clients' home loans  
22 were not renegotiated as promised and clients were either forced into short sales or they lost their  
23 homes through foreclosure.

24 8. On January 14, 2011, an enforcement officer for the Division spoke with Respondent  
25 Burleson by phone. During the conversation, Burleson admitted to having 30 Oregon "loss  
26 mitigation" clients that he had each charged an advance fee of between \$3,250 and \$3,500. This



1 point was further clarified when Burleson expressed concerns about any sanction that could  
2 possibly be assessed against him for working unlawfully. Burleson was told that the Division  
3 would require him to return all fees collected from Oregon clients while working unlawfully.  
4 Burleson replied that he did not have \$100,000.

5 9. At no time relevant to the matters herein was Respondent Burleson licensed as a  
6 mortgage banker or mortgage broker in Oregon.

7 10. At no time relevant to the matters herein was Respondent Burleson licensed as a  
8 mortgage loan originator in Oregon.

9 11. Respondent Burleson did not obtain a unique identifier from the Nationwide  
10 Mortgage Licensing System and Registry.

11 12. At no time relevant to the matters herein has Respondent Burleson been registered as  
12 a debt management service provider in Oregon.

13 13. At no time relevant to the matters herein did Respondent Burleson file a surety bond  
14 with the Director before providing debt management services.

## 15 II.

### 16 CONCLUSIONS OF LAW

17 The Director CONCLUDES that:

18 14. Respondent Burleson acted as a “mortgage broker” as defined by ORS  
19 86A.100(7)(a)(C) when he offered to negotiate a mortgage loan in exchange for receiving  
20 compensation.

21 15. Respondent Burleson engaged in a “residential mortgage transaction in this state” as  
22 defined by ORS 86A.103(2) when he offered to negotiate a home mortgage loan secured by  
23 residential real estate located in Oregon.

24 16. Respondent Burleson violated ORS 86A.103(1) when he engaged in residential  
25 mortgage transactions in this state without first being licensed as either a mortgage banker or  
26 mortgage broker. Each time Respondent Burleson engaged in residential mortgage transactions



1 without being licensed in Oregon is a separate and distinct violation of ORS 86A.103(1).

2 17. Respondent Burleson acted as “mortgage loan originator” as defined by ORS  
3 86A.236(4)(a) when he offered to negotiate terms for a residential mortgage loan in exchange for  
4 receiving \$3,500 in compensation.

5 18. Respondent Burleson violated ORS 86A.203(1) when he acted as a mortgage loan  
6 originator in Oregon without first obtaining: (a) a mortgage loan originator license under ORS  
7 86A.212; and (b) a unique identifier from the Nationwide Mortgage Licensing System and  
8 Registry (“NMLS”). Each time Respondent Burleson acted as a mortgage loan originator in  
9 Oregon without a mortgage loan originator license and an NMLS number is a separate and  
10 distinct violation of ORS 86A.203(1).

11 19. Respondent Burleson violated ORS 86A.236(9) when he (a) conducted or operated a  
12 business that requires a mortgage loan originators license; or (b) assisted or enabled another  
13 person who does not have a mortgage loan originator’s license to conduct or operate a business  
14 that requires a mortgage loan originator’s license. Each time Respondent Burleson conducted or  
15 operated a business that requires a mortgage loan originator’s license, or assisted or enabled  
16 another person who does not have a mortgage loan originator’s license to conduct or operate a  
17 business that requires a mortgage loan originator’s license, is a separate and distinct violation of  
18 ORS 86A.236(9).

19 20. Respondent Burleson performed a “debt management service” as defined by ORS  
20 697.602(2)(c) when he offered to modify terms and conditions of an existing loan or obligation  
21 in exchange for valuable consideration.

22 21. Respondent Burleson violated ORS 697.612(1)(a) by engaging in the business of debt  
23 management service provider without being registered with the Director pursuant to ORS  
24 697.632. Each time Respondent Burleson engaged in the business of debt management service  
25 provider without being registered in Oregon is a separate and distinct violation of ORS  
26 697.612(1)(a).





- 1 B. A CIVIL PENALTY of \$37,200 for 31 violations of ORS 86A.203(1);
  - 2 C. A CIVIL PENALTY of \$37,200 for 31 violations of ORS 86A.236(9);
  - 3 D. A CIVIL PENALTY of \$37,200 for 31 violations of ORS 697.612;
  - 4 E. A CIVIL PENALTY of \$37,200 for 31 violations of ORS 697.642; and
  - 5 F. A CIVIL PENALTY of \$37,200 for 31 violations of ORS 697.692.
- 6 27. The entry of this Order in no way limits further remedies which may be available to  
7 the Director under Oregon law.

8 IT IS SO ORDERED.

9 Dated this 26th day of May, 2011 at Salem, Oregon NUNC PRO  
10 TUNC April 22, 2011.

11 SCOTT L. HARRA, Acting Director  
12 Department of Consumer and Business Services

13 /s/ David Tatman  
14 David C. Tatman, Administrator  
15 Division of Finance and Corporate Securities

16 **NOTICE OF RIGHT TO APPEAL**

17 You are entitled to seek judicial review of this order. Judicial review may be obtained by  
18 filing a petition for review with the Oregon Court of Appeals within 60 (sixty) days from the  
19 service of this final order. Judicial review is pursuant to the provisions of ORS 183.482.

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