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**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
DIVISION OF FINANCE AND CORPORATE SECURITIES  
BEFORE THE DIRECTOR OF THE DEPARTMENT  
OF CONSUMER AND BUSINESS SERVICES**

**In the Matter of:**

**M-11-0005**

**The Law Offices of Janian & Associates,  
and Armen Janian**

**FINAL ORDER TO CEASE AND DESIST  
and  
ORDER ASSESSING CIVIL PENALTIES**

**Respondents**

**BY DEFAULT**

On March 2, 2011, Director of the Department of Consumer and Business Services for the State of Oregon (hereafter the "Director"), acting by and pursuant to the authority of the Oregon Mortgage Lending Law, ORS 86A.100 *et seq.*, and the Oregon Debt Management Service Providers Law, ORS 697.602 *et seq.*, issued Administrative Order No. M-11-0005 to Cease and Desist and Assessing Civil Penalties and Notice Of Right To Hearing (hereafter "the Order") against The Law Offices of Janian and Associates and Armen Janian (hereinafter "Respondents").

On March 4, 2011, Respondents were duly served with true copies of the Proposed Order by regular, first-class mail and by certified mail, postage prepaid, and addressed to Respondents at the following address: 1156 North Brand Blvd, Glendale California 91202. The Division reasonably relied upon this address because: 1) it is the address Respondents used on the contract that is the subject of this order; 2) it is the address Respondents list on their current website; and 3) it is the address listed by Armen Janian with the California State Bar. The copy of the order sent via regular U.S. mail has not been returned and is therefore presumed to have been delivered as addressed. On March 8, 2009, the United States Post Office delivered copies of the proposed order via certified mail, which was signed for by Robyn Reilman. Respondents have not made a

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 written request for a contested case hearing in this matter and the time to do so has expired.

2 **NOW THEREFORE**, after consideration of the Investigation Report and accompanying  
3 exhibits submitted in this matter by Jason Weber, Enforcement Officer, the Director hereby issues  
4 the following Findings of Fact, Conclusions of Law, and Final Order:

5 **FINDINGS OF FACT**

6 1. Armen Janian is an attorney licensed to practice law in the state of California, bar no.  
7 102747 (hereinafter “Janian”). Janian lists his address as 1156 North Brand Boulevard,  
8 Glendale, California, 91202.

9 2. The Law Offices of Janian and Associates, a professional law corporation, entity no.  
10 C2558489, was first registered with the California Secretary of State on October 17, 2003  
11 (hereinafter “Janian and Associates”). Janian and Associates’ current mailing address is listed as  
12 1156 North Brand Boulevard, Glendale, California, 91202. As of February 18, 2011, Janian and  
13 Associates status is listed as “suspended” by the California Secretary of State. Hereinafter,  
14 “Janian” and “Janian and Associates” shall be referred to collectively as “Respondents.”

15 3. At no time have Respondents been registered with the Oregon Secretary of State.

16 4. At no time have Respondents been licensed or authorized to practice law in Oregon.

17 5. At no time have Respondents been licensed as a mortgage banker or broker in Oregon.

18 6. At no time have Respondents been licensed as a mortgage loan originator in Oregon.

19 7. Respondents have not obtained a unique identifier from the Nationwide Mortgage  
20 Licensing System and Registry.

21 8. At no time have Respondents been registered as a debt management service provider in  
22 Oregon.

23 9. On January 27, 2010, Respondents entered into a contract with an Oregon consumer.

24 10. As part of the contract and in exchange for \$2,900 in compensation, Respondents agreed  
25 to: “negotiate on behalf of Client’s existing mortgage loan(s), which may include by way of  
26 example, lower monthly payment, lower interest, longer payment terms, principal reduction, loan



1 workout, short sale, principal reduction, loan restructuring or reinstatement offer.”

2 11. The loan that Respondents agreed to negotiate was secured by residential property  
3 located in Powell Butte, Oregon.

4 12. As a result of Respondents operating in Oregon, an Oregon consumer lost \$2,900.

## 5 CONCLUSIONS OF LAW

6 The Director **CONCLUDES** that:

7 1. Respondents acted as a “mortgage broker” as defined by ORS 86A.100(5)(a)(C) when  
8 they offered to negotiate a mortgage loan in exchange for \$2,900 in compensation.

9 2. Respondents engaged in a “residential mortgage transaction in this state” as defined by  
10 ORS 86A.103(2) when they offered to negotiate a home mortgage loan secured by real estate  
11 located in Powell Butte, Oregon.

12 3. Respondents violated ORS 86A.103(1) when they engaged in a residential mortgage  
13 transaction in this state without first being licensed as either a mortgage banker or mortgage  
14 broker.

15 4. Respondents may not rely upon the exemption contained in ORS 86A.100(7)(b)(G)  
16 because they are not attorneys licensed in Oregon.

17 5. Respondents acted as a “mortgage loan originator” as defined by ORS 86A.236(4)(a)  
18 when they offered to negotiate terms for a residential mortgage loan in exchange for \$2,900 in  
19 compensation.

20 6. Respondents violated ORS 86A.203(1) when they acted as a mortgage loan originator in  
21 Oregon without first obtaining: 1) a mortgage loan originator license under ORS 86A.212; and 2)  
22 a unique identifier from the Nationwide Mortgage Licensing System and Registry.

23 7. Respondents may not rely upon the exemption contained in ORS 86A.203(2)(d) because  
24 they are not an attorneys licensed or authorized to practice law in Oregon.

25 8. Respondents violated ORS 86A.236(9) when they: 1) conducted or operated a business  
26 that requires a mortgage loan originators license; or 2) assisted or enabled another person who





1 does not have a mortgage loan originator’s license to conduct or operate a business that requires  
2 a mortgage loan originator’s license.

3 9. The Director may order Respondents to pay \$2,900 in Restitution pursuant to ORS  
4 86A.224(2)(c) because an Oregon consumer suffered harm from Respondents acts, omissions,  
5 practices or operations.

6 10. Respondents performed a “debt management service” as defined by ORS 697.602(2)(c)  
7 when they offered to modify terms and conditions of an existing loan or obligation in exchange  
8 for \$2,900 in compensation.

9 11. Respondents violated ORS 697.612(1)(a) when they performed a debt management  
10 service without first registering with the Director under ORS 697.632.

11 12. Respondents may not rely upon the exemption from registration contained in ORS  
12 697.612(3)(b) because Respondents are not attorneys licensed or authorized to practice law in  
13 Oregon.

14 13. Pursuant to ORS 697.718(1) Respondents are liable to any Oregon consumer who suffers  
15 an ascertainable loss of money or property, real or personal, in connection with Respondents  
16 violation of ORS 697.652, 697.662, 697.682, 697.692 or 697.707 because Respondents are  
17 required to obtain registration as a debt management service provider under ORS 697.612.

18 **ORDER**

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

20 The Director, pursuant to his authority under ORS 86A.127 and ORS 697.825 hereby  
21 **ORDERS** Respondents shall **CEASE AND DESIST** from violating Oregon’s Mortgage Lender  
22 Law and Oregon’s Debt Management Service Providers law.

23 The Director, pursuant to ORS 86A.224(2)(c) hereby **ORDERS** Respondents to pay **\$2,900**  
24 in **RESTITUTION** to the Oregon consumer that was harmed as described herein. This  
25 Restitution Order is joint and several among Respondents. Payment information with regard to  
26 the Oregon consumer harmed by Respondents will be maintained in the Division’s file for case

1 No. M-11-0005 and will be provided to Respondents upon request.

2 The Director, pursuant to ORS 86A.992, and ORS 697.832 hereby **ORDERS** Respondents to  
3 pay the State of Oregon a civil penalty of **\$20,000**. This civil penalty is based on a \$5,000 civil  
4 penalty for each violation of ORS 86A.103(1), ORS 86A.203(1), 86A.236(9), and ORS  
5 697.612(1) described herein. This civil penalty is joint and several among Respondents.

6 The entry of this Order in no way further limits remedies which may be available to the  
7 Director under Oregon law.

8 **IT IS SO ORDERED**

9 Dated this 25 day of March 2011, at Salem, Oregon, Nunc Pro Tunc March 2, 2011.

10 SCOTT V. HARRA, Acting Director  
11 Department of Consumer and Business Services

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

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

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