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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-11-0042

**RTL Financial Inc., dba Americasa,
and Todd Lindstrom**

**ORDER TO CEASE AND DESIST,
ORDER ASSESSING CIVIL PENALTIES
AND
CONSENT TO ENTRY OF ORDER**

Respondent.

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter “the Director”) conducted an investigation of RTL Financial Inc. dba Americasa (hereinafter “RTL Financial”), and Todd Lindstrom (hereinafter collectively “Respondents”) and determined Respondents engaged in activities constituting violations of 86A.100 *et seq*, formerly 59.840 *et seq*, (hereinafter cited as the “Oregon Mortgage Lender Law”); and

WHEREAS Respondents wish to resolve and settle this matter with the Director,

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Respondents hereby **CONSENTS** to entry of this order upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter:

FINDINGS OF FACT

The Director **FINDS** that:

1. RTL Financial was a Washington corporation, first registered with the Washington Secretary of State on September 15, 2005, registration No. 602539766. The principal place of business for RTL Financial was 800 Bellevue Way North East, Suite 325, Bellevue, Washington, 98004. The Washington registration for RTL Financial expired on September 30, 2009.
2. RTL Financial was first registered as a foreign business corporation with the Oregon

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 Secretary of State on January 23, 2006, registration No. 333673-92. Todd Lindstrom was the
2 president and secretary of RTL Financial. This registration was revoked on March 27, 2009.

3 3. RTL Financial was first licensed as a mortgage broker in Oregon on January 24, 2006,
4 license No. ML-3942. Todd Lindstrom was listed as the president, owner, and experienced
5 person for RTL Financial. RTL Financial's Oregon mortgage broker license expired on January
6 24, 2009.

7 4. On or before July 20, 2007, Javier A. Banuelas-Urueta (hereinafter "Banuelas")
8 approached Respondents and offered to open a branch location in Vancouver, Washington using
9 the name "Americasa." Respondents agreed to allow Banuelas to open a branch office under
10 Respondents Oregon mortgage lending license, ML-3942 (hereinafter "Americasa branch.")

11 5. On or before July 20, 2007, with Respondents knowledge and consent, Banuelas opened
12 the America branch at 7720 North East, Vancouver Mall Drive # 320, in Vancouver, Washington
13 98662.

14 6. Respondents did not notify the Director of the Americasa branch until December 2007.

15 7. On or before October 1, 2007, Banuelas employed at least ten loan originators at the
16 Americas branch.

17 8. Respondents did not list any of the ten loan originators employed at the Americasa branch
18 until October 2007.

19 9. In May 2009, the Division asked Respondents to produce records maintained at the
20 Americasa branch. Respondents explained that these records were in the custody and control of
21 Banuelas. Respondents were unable to retrieve the requested records from Banuelas.

22 Respondents failed to produce the records requested by the Division.

23 CONCLUSIONS OF LAW

24 The Director **CONCLUDES** that:

25 1. Respondents violated ORS 86A.166(2) by operating the Americasa branch without first
26 providing the Director with written notice at least 30 days prior to opening the branch office.

1 The date of this order is the day the Director or Director's nominee signed the order. The
2 entry of this Order in no way limits further remedies that may be available to the Director under
3 Oregon law.

4
5 Dated this 15th day of June 2011 at Salem, Oregon.

6
7 Scott L. Harra, Acting Director
8 Department of Consumer and Business Services

9 /s/ David Tatman
10 David C. Tatman, Administrator
11 Division of Finance and Corporate Securities

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CORPORATE CONSENT TO ENTRY OF ORDER

I, Todd Lindstrom, state that I am an officer of RTL Financial Inc., and I am authorized to act on its behalf; that I have read the foregoing Order and that I know and fully understand the contents hereof; that I and this entity have been advised of the right to a hearing and of the right to be represented by counsel in this matter; that RTL Financial Inc. voluntarily and without any force or duress, consents to the entry of this Order, expressly waiving any right to a hearing in this matter; that RTL Financial Inc. understands that the Director reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law; and that RTL Financial Inc. will fully comply with the terms and conditions stated herein.

RTL Financial Inc.. understands that this Consent Order is a public document.

Dated this 31 day of May 2011

By /s/ Todd Lindstrom
Todd Lindstrom
President
Office Held

ENTITY ACKNOWLEDGMENT

There appeared before me this 31 day of May 2011 who was first duly sworn on oath, and stated that he was and is an officer of RTL Financial Inc. and that he is authorized and empowered to sign this Consent to Entry of Order on behalf of RTL Financial Inc., and to bind RTL Financial Inc. to the terms hereof.

/s/ Suzanne Schroeder
Notary Public for the State of Washington
My commission expires: 2-2-14

1 **CONSENT TO ENTRY OF ORDER**

2 I, Todd Lindstrom, state that I have read the foregoing Order and that I know and fully
3 understand the contents hereof; that the factual allegations stated herein are true and correct; that I
4 have been advised of my right to a hearing and of the right to be represented by counsel in this
5 matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly
6 waiving any right to a hearing in this matter; that I understand that the Director reserves the right
7 to take further actions against me to enforce this Order or to take appropriate action upon
8 discovery of other violations of the Oregon Mortgage Lending Law; and that I will fully comply
9 with the terms and conditions stated herein.

10 I understand that this Consent Order is a public document.

11 Dated this 31 day of May, 2010.

12
13 /s/ Todd Lindstrom
Todd Lindstrom

14 SUBSCRIBED AND SWORN to before me this 31 day of May, 2011.

15
16 /s/ Suzanne Schroeder
17 (Printed Name of Notary Public)
18 Notary Public
for the State of: Washington

19 My commission expires: 2-2-14
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