



1 principal place of business is 5778 Commercial St. SE, Salem, OR 97306.

2 4. In 2011, NMLS released its mortgage call report (“MCR”) functionality. The
3 MCR is comprised of individual reports of activity by state, called Residential Mortgage Loan
4 Activity reports (“RMLA”) that are compiled and submitted by the company to NMLS on a
5 quarterly basis for each state in which the company does business or sponsors a mortgage loan
6 originator license.

7 5. The MCR functionality was developed to provide entities licensed as mortgage
8 brokers the ability to submit quarterly activity reports. Beginning with the first quarter (“Q1”) of
9 2011, licensed mortgage brokers must now submit MCR reports through the NMLS system
10 within 45 days of the end of the quarter.

11 6. The NMLS online resource center provided the following MCR submission
12 deadlines: (1) Quarter one - January 1 through March 31 - due May 15, 2011; (2) Quarter two
13 (“Q2”) April 1 through June 30, due August 14, 2011; and (3) Quarter three (“Q3”) July 1
14 through September 30, due November 14, 2011.

15 7. Since this report was first required for first quarter of 2011, the Division has
16 undertaken an extensive campaign to notify licensed mortgage brokers of the new MCR reporting
17 requirement.

18 8. At all times relevant to this order, email correspondence sent to Baxter has been
19 sent to baxtermort@aol.com, Baxter’s email address on record in NMLS.

20 9. On October 31, 2011, the Division sent an email message to Baxter, indicating that
21 its Q3 report was now due and that it must be filed through NMLS by November 14, 2011.

22 10. On November 7, 2011, the Division sent a second email message to Baxter,
23 indicating that its Q3 report was now due and that it must be filed through NMLS by November
24 14, 2011.

25 11. On November 10, 2011, the Division sent a third email message to Baxter,
26 indicating that its Q3 report was now due and that it must be filed through NMLS by November



1 14, 2011.

2 12. On November 15, 2011, the Division sent a letter to Baxter's address of record as
3 listed in NMLS, indicating that Baxter had not filed its Q3 MCR as required and that if the Q3
4 report was not filed by December 15, 2011 that the matter would be referred for enforcement
5 action.

6 13. On December 19, 2011, the Division reviewed NMLS and confirmed that Baxter
7 had not filed its Q3 MCR and the matter was then referred to enforcement.

8 14. On December 21, 2011, Baxter submitted its Q3 MCR through the NMLS system.

9 **CONCLUSIONS OF LAW**

10 The Director CONCLUDES that:

11 1. By failing to file the Q3 MCR including RMLA for Oregon in NMLS by
12 November 14, 2011, Baxter violated ORS 86A.239(2).

13 **ORDERS**

14 NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

15 The Director, pursuant to ORS 86A.127, hereby ORDERS Baxter to Cease and Desist
16 from violating Oregon's Mortgage Lender Law.

17 The Director, pursuant to ORS 86A.992(1), hereby ORDERS Baxter to pay a civil penalty
18 of \$1,000.00 for the violation of ORS 86A.239(2) described herein. Payment of the civil penalty
19 may be made in up to twelve (12) monthly installment payments of not less than \$83.33 per
20 payment, whereby each monthly installment payment must be received by the Department on or
21 before 5:00 pm on the fifth day of each month. The first monthly installment payment shall be
22 due and payable on March 5, 2012 and the entire remaining balance shall be due payable on
23 February 5, 2013. If any monthly installment payment is not received pursuant to the above ///

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1 terms, the entire remaining balance shall become immediately due and payable without notice to
2 Baxter. February

3 Dated this 1st day of ~~January~~, 2012.

4 PATRICK ALLEN, Acting Director
5 Department of Consumer and Business Services

6
7 /s/ David Tatman
8 David C. Tatman, Administrator
9 Division of Finance and Corporate Securities

10 **CORPORATE CONSENT TO ENTRY OF ORDER**

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

20 I further assure the Director that neither Baxter nor its officers, directors, employees or
21 agents, will effect mortgage transactions in Oregon unless such activities are in full compliance

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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 with Chapter 86A of the Oregon Revised Statutes.

2 Baxter understands that this Consent Order is a public document.

3 Dated this 30th day of January, 2012.

4 **BAXTER MORTGAGE CORPORATION**
5 **An Oregon Corporation**

6
7 /s/ John G. Baxter
8 John G. Baxter, President

9 **ENTITY ACKNOWLEDGMENT**

10 There appeared before me this 30th day of January 2012, John G. Baxter, who was first
11 duly sworn on oath, and stated that he was and is an officer of Baxter Financial Inc. and
12 that he is authorized and empowered to sign this Consent to Entry of Order on behalf of
13 Baxter Mortgage Corporation and to bind Baxter Mortgage Corporation to the terms hereof.

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15
16 /s/ Sarah J. Martinez
17 Notary Public for the State of Oregon
18 My commission expires: July 30, 2015

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