

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
DIVISION OF FINANCE AND CORPORATE SECURITIES  
MORTGAGE LENDING SECTION**

**In the Matter of:**

**Home Loan Enterprise  
NMLS # 246523**

**Respondent.**

**M-12-0060, M-12-0082  
FINAL ORDER TO CEASE AND DESIST,  
ORDER ASSESSING CIVIL PENALTIES,  
ORDER ASSESSING EXAM EXPENSES,  
AND  
CONSENT TO ENTRY OF ORDER**

**WHEREAS** the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter “the Director”) conducted an investigation of Home Loan Enterprise (hereinafter “HLE”) and determined that HLE engaged in activities constituting a of violation of 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter cited as the “Oregon Mortgage Lender Law”); and

**WHEREAS** HLE wishes to resolve and settle this matter with the Director.

**NOW THEREFORE**, as evidenced by the authorized signature subscribed on this order, HLE 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. HLE is a California corporation with a principal place of business located at 4311 Jamboree Road #175, Newport Beach, California 92660.
2. HLE received an Oregon mortgage banker/broker license from the Oregon Division of Finance and Corporate Securities (hereinafter “Division”) on July 26, 2011, NMLS# 246523.

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           3. The Division’s records list Nhat Minh Khong as the one hundred percent owner. Thysy  
2 Trinh is the experienced person and contact person.

3           **I. Examination**

4           4. On February 13, 2012, an examiner employed by the Division completed a desk  
5 examination of the books and records of HLE, and the company received a poor score of 5 out of  
6 a possible 5, with 5 being the worst.

7           5. The examination revealed, among other things, Truth in Lending disclosure deficiencies,  
8 multiple files did not contain an interest rate lock or float agreement, and the file that included  
9 one did not include all of the required information, and multiple files did not include a final  
10 HUD-1 Settlement Statement.

11          6. On or about May 16, 2012, the Division sent a report to HLE’s address of record  
12 detailing the examination findings (hereinafter “examination report”) with a cover letter  
13 requiring a response within two weeks. No response was received.

14          7. In response to a request from HLE, on July 23, 2012, the Division extended the deadline  
15 for filing the response to the examination report to August 23, 2012 by letter.

16          8. On July 24, 2012, the Division sent an email to HLE confirming the August 23, 2012  
17 deadline to file a response to the examination report.

18          9. On October 17, 2012, HLE submitted a satisfactory response to the exam report.

19          10. The Division spent eight hours of enforcement time preparing this case.

20           **II. Mortgage Call Report**

21          11. The Division notified HLE numerous times by email, NMLS deficiency, and by letter  
22 that the deadline to file the first quarter 2012 Mortgage Call Report, including residential  
23 mortgage lending activity for Oregon, in NMLS was June 16, 2012.

24          12. HLE filed the first quarter 2012 Mortgage Call Report, including residential  
25 mortgage lending activity for Oregon, on July 1, 2012.

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 **CONCLUSIONS OF LAW**

2 The Director **CONCLUDES** that:

3 1. By failing to submit a response to the Division's examination report by August 23, 2012,  
4 HLE violated ORS 86A.115(12).

5 2. By failing to file the first quarter 2012 Mortgage Call Report in NMLS by June 16, 2012,  
6 HLE violated ORS 86A.239(2).

7 **ORDER**

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

9 The Director, pursuant to ORS 86A.127, hereby orders HLE to Cease and Desist from  
10 violating the Oregon Mortgage Lender Law

11 The Director, pursuant to ORS 86A.992, may assess civil penalties of up to \$5,000 per  
12 violation of the Oregon Mortgage Lender Law. The Director, pursuant to ORS 86A.992(2),  
13 hereby **ORDERS** HLE to pay a civil penalty of \$1,000 for the violation of ORS 86A.239(2)  
14 (failure to timely file MCR) and, pursuant to OAR 441-860-0110(2), HLE must pay \$600 in  
15 additional examination expenses (\$75.00 x 8) for the 8 hours of Division time spent preparing  
16 this case.

17 Total balance: \$1,600 [examination fees: \$600 + civil penalty: \$1,000]. The entry of this  
18 Order in no way limits further remedies which may be available to the Director under Oregon  
19 law. The total balance is due on or before February 13, 2013.

20 Dated this 15th day of February, 2013

21 PATRICK M. ALLEN, Director  
22 Department of Consumer and Business Services

23  
24 /s/ David Tatman  
25 David C. Tatman, Administrator, Division of Finance and Corporate Securities

