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

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

**In the Matter of:**

**Home Loan Enterprise  
NMLS# 246523**

Respondent.

**M-13-0121**

**ORDER CONDITIONING MORTGAGE  
BANKER/BROKER LICENSE, ORDER  
TO CEASE AND DESIST, ORDER  
ASSESSING CIVIL PENALTIES, 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 violation of ORS 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter collectively 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.
3. The Division's records list Nhat Minh Khong as the one hundred percent owner.

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 4. In 2011, the Nationwide Mortgage Licensing System (hereinafter "NMLS") released  
2 the mortgage call report (hereinafter "MCR") functionality. The MCR includes a licensed  
3 mortgage broker's Residential Mortgage Loan Activity (hereinafter "RMLA") that is compiled  
4 and submitted by the company to NMLS on a quarterly basis.

5 5. The Division undertook an extensive compliance campaign to notify all companies of the  
6 new quarterly MCR reporting requirement throughout 2011 and 2012. The Division has  
7 continued with routine communication about this recurring requirement.

8 6. HLE made a late filing of the 2012 first quarter MCR and a late filing of the written  
9 response to the Division's 2012 examination report, both are required reports, resulting in  
10 consent order (case M-12-0060 and M-12-0082) issued on February 15, 2013. As a part of the  
11 final consent order, HLE paid \$1,600 in civil penalties and examination expenses to the Division  
12 for the violations.

13 7. The 2013 first quarter (hereinafter "Q1") MCR with Oregon RMLA was due May 15,  
14 2013.

15 8. HLE employed at least one licensed loan originator during Q1 of 2013.

16 9. Since HLE had not filed the 2013 Q1 MCR with Oregon RMLA, on May 7, 2013, the  
17 Division sent an e-mail to HLE's e-mail address of record notifying of the Q1 requirement and  
18 the upcoming May 15, 2013 deadline.

19 10. All emails were sent to admin@hlemortgage.com which has been the e-mail address of  
20 record in NMLS for HLE at all times relevant to this order.

21 11. Since HLE had still not filed the 2013 Q1 MCR, on May 17, 2013, the Division sent  
22 another e-mail to HLE notifying that the 2013 Q1 MCR with Oregon RMLA was past due. The  
23 email warned that if HLE failed to file the 2013 Q1 MCR by June 16, 2013, the company would  
24 be subject to civil penalties.

25 12. On May 17, 2013, the Division sent HLE a letter to the address of record in NMLS, its  
26 principal place of business, notifying that if the 2013 Q1 MCR was not filed by June 16, 2013,



1 the matter would be referred for enforcement action.

2 13. On May 17, 2013, the Division placed a deficiency on the company's license  
3 notifying of the obligation to file the report by the June 16, 2013 deadline, or the matter would be  
4 referred for enforcement action.

5 14. HLE filed the 2013 Q1 MCR on June 21, 2013.

### 6 CONCLUSIONS OF LAW

7 The Director **CONCLUDES** that:

8 1. By failing to file the 2013 Q1 MCR including RMLA for Oregon in NMLS by May 15,  
9 2013, HLE violated ORS 86A.239(2).

10 2. By failing to make a timely filing of the 2012 Q1 and 2013 Q1 MCR with RMLA for  
11 Oregon HLE repeatedly violated ORS 86A.239(2) which is grounds to condition HLE's  
12 mortgage banker/broker license under ORS 86A.115(3).

### 13 ORDER

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

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

17 The Director, pursuant to ORS 86A.992(2), hereby orders HLE to pay a civil penalty of  
18 \$2,000 for the violation of ORS 86A.239(2). A \$1,000 payment and the signed consent order are  
19 due on or before October 24, 2013 to the Oregon Division of Finance and Corporate Securities,  
20 Department of Consumer and Business Services, and the second payment is due one or before  
21 November 24, 2013. There is no prepayment penalty. There is no interest for the civil penalty  
22 installment payments, so long as payments are timely made in compliance with this payment  
23 plan. If any monthly payment is not received pursuant to the above payment plan, the remaining  
24 balance shall be become immediately due and payable.

25 The Director, pursuant to ORS 86A.115, hereby **ORDERS** that, effective the date of this  
26 order, a conditional Oregon mortgage banker/broker license shall be issued to HLE until further

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1 order of the Director subject to renewal fee and document requirements. The conditional license  
2 shall be subject to the following conditions such that if HLE fails to comply, HLE agrees that the  
3 license shall be revoked immediately:

4 1. HLE shall make a timely filing of all financial reports or other information that the  
5 director by rule or order requires, including but not limited to the Mortgage Call Report, the  
6 annual report for mortgage lending activity, and a written response to the Division examination  
7 reports under ORS 86A.112(2).

8 2. HLE shall promptly correct a document filed with the director that is or becomes  
9 incomplete or inaccurate in any material respect under ORS 86A.112(2).

10 Notwithstanding the foregoing, HLE may, following a period of five years wherein all  
11 Division required reports are timely filed, all required civil penalties and fines are timely paid,  
12 and no open or substantiated complaints made with the Division, make written application to the  
13 Director for an unconditional license.

14 The Director will review and act upon any application or request for licensing according  
15 to the current law, including any rights available to request a contested case hearing on any  
16 licensing or registration decision. This does not mean any request will be granted, but the  
17 request will be reviewed by the Director.

18 The entry of this Order in no way limits further remedies which may be available to the  
19 Director under Oregon law, including for the violations noted in the Conclusions of Law section  
20 above.

21 Dated this 1<sup>st</sup> day of November, 2013.

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

25   
26 David C. Tatman, Administrator

2 **ENTITY CONSENT TO ENTRY OF ORDER**

3 I, Thysy Trinh, state that I am an officer of HLE, and I am authorized  
4 to act on its behalf. I have read the foregoing order and that I know and fully understand the  
5 contents hereof. I have been advised of the right to a hearing and of the right to be represented  
6 by counsel in this matter. HLE voluntarily and without any force or duress consents to the entry  
7 of this order expressly waiving any right to a hearing in this matter. HLE understands that the  
8 Director reserves the right to take further actions to enforce this order or to take appropriate  
9 action upon discovery of other violations of the Oregon Mortgage Lender Law. HLE will fully  
10 comply with the terms and conditions stated herein.

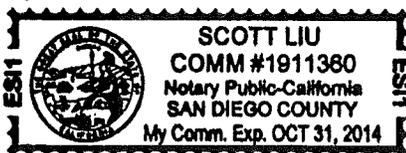
11 HLE further assures the Director that neither HLE, nor its officers, directors,  
12 employees, or agents will effect mortgage transactions in Oregon unless such activities are in  
13 full compliance with the Oregon Mortgage Lender Law. HLE understands that this Consent  
14 Order is a public document.

15 Dated this 24th day of October, 2013.

16  
17 By [Signature]  
18 CEO  
19 Office Held

20 **ENTITY ACKNOWLEDGMENT**

21 There appeared before me this 24th day of October 2013,  
22 Thysy Trinh, who was first duly sworn on oath, and stated that ~~(s)~~he was  
23 and is an officer of HLE and that ~~(s)~~he is authorized and empowered to sign this Consent to  
24 Entry of Order on behalf of HLE and to bind HLE to the terms hereof.



25 [Signature]  
26 Notary Public for the State of: CA

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My commission expires: Oct 31, 2014

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