

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:

Alliance Capital Partners, Corp.
NMLS 673693

Respondent.

M-14-0023

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 Alliance Capital Partners, Corp. (Alliance) and determined that Alliance engaged in activities constituting a violation of 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter collectively cited as the “Oregon Mortgage Lender Law”); and

WHEREAS Alliance wishes to resolve and settle this matter with the Director,

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Alliance 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. Alliance Capital Partners, Corp. is a domestic corporation first incorporated on May 19, 2011.
2. Alliance obtained an Oregon mortgage broker license from the Division of Finance and Corporate Securities (Division) on October 20, 2011, ML-5092.
3. Alliance’s principal place of business is located at 310 N State Street, Suite 260, Lake Oswego, Oregon.

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1 4. The Oregon Mortgage Lender Law requires licensed mortgage bankers and
2 mortgage brokers to file an annual report with the Division concerning their residential
3 mortgage lending activity.

4 5. The deadline for filing the annual report for 2013 mortgage lending activity was
5 March 31, 2014.

6 6. By January 17, 2014, the Division made public a website,
7 <https://www4.cbs.state.or.us/exs/dfcs/mlrpt/index.cfm> that licensees were to use to file their
8 2013 annual reports. The Division posted a link to that website from the Division's mortgage
9 lending home page along with information on the annual report requirements.

10 7. The Division's mortgage lending home page also included a prominent notice about
11 the requirement.

12 8. On January 17, 2014, the Division sent an e-mail to the e-mail address of record for
13 Alliance, anna@acgmp.com, notifying Alliance that they had not filed the 2013 annual report
14 and the deadline was March 31, 2014.

15 9. On March 26, 2014, the Division sent Alliance a reminder e-mail to the company's
16 e-mail address of record notifying them that the company had not yet filed the 2013 annual
17 report and that the deadline to do so was March 31, 2014.

18 10. On April 1, 2014, Alliance had not filed an annual report for 2013.

19 11. On April 1, 2014, the Division sent Alliance a warning letter to the address of record
20 in NMLS notifying them that they are required to file the 2013 annual report for Oregon. The
21 letter warned that if Alliance did not file by May 1, 2014, the matter would be referred for
22 enforcement action and a civil penalty assessed.

23 12. On April 1, 2014, the Division also sent an email to Alliance notifying them of the
24 missed deadline and warning them of the enforcement action and civil penalty for failure to file
25 by May 1, 2014.

26 13. Alliance filed its annual report for 2013 activity on July 8, 2014.



1 **CONCLUSIONS OF LAW**

2 The Director concludes that:

3 1. By failing to file the annual report for 2013 mortgage lending activity by March 31,
4 2014, Alliance violated ORS 86A.112(3) and OAR 441-865-0025.

5
6 **ORDERS**

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

8 The Director, pursuant to ORS 86A.127, hereby ORDERS Alliance to Cease and Desist
9 from violating Oregon's Mortgage Lender Law.

10 The Director, pursuant to ORS 86A.992(2), may assess civil penalties of up to \$100 per
11 day each day the report is not filed. The Director, pursuant to ORS 86A.992(2), hereby orders:

12 Alliance to pay a civil penalty of \$1,000 for the violation of ORS 86A.112(3) and OAR
13 441-865-0025.

14 Dated this 13th day of August, 2014 at Salem, Oregon.

15
16 PATRICK M. ALLEN, Director
17 Department of Consumer and Business Services

18
19 /s/ David Tatman
20 David C. Tatman, Administrator
21 Division of Finance and Corporate Securities

22 **ENTITY CONSENT TO ENTRY OF ORDER**

23 I, _____, state that I am an officer of Alliance and I am authorized to
24 act on its behalf. I have read the foregoing order and that I know and fully understand the
25 contents hereof. I have been advised of the right to a hearing and of the right to be represented
26 by counsel in this matter. Alliance voluntarily and without any force or duress consents to the
entry of this order expressly waiving any right to a hearing in this matter. Alliance understands

1 that the Director reserves the right to take further actions to enforce this order or to take
2 appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law.
3 Alliance will fully comply with the terms and conditions stated herein.

4 Alliance further assures the Director that neither Alliance, nor its officers, directors,
5 employees, or agents will effect mortgage transactions in Oregon unless such activities are in
6 full compliance with the Oregon Mortgage Lender Law. Alliance understands that this
7 Consent Order is a public document.

8 Dated this 7th day of August 2014, at Portland, Oregon.

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10 By /s/Anna Alexander CEO
11 Office Held

12 **ENTITY ACKNOWLEDGMENT**

13 State of Oregon)
14 County of Washington)ss.
15)

16 There appeared before me this 7 day of August, 2014,
17 Anna Alexander who was first duly sworn on oath, and stated that (s)he
18 was and is an officer of Alliance and that (s)he is authorized and empowered to sign this
19 Consent to Entry of Order on behalf of Alliance and to bind Alliance to the terms hereof.

20 /s/ Stephanie J. Enright
21 Notary Public for the State of: Oregon
22 My commission expires: 3/9/2017

