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3 **STATE OF OREGON**  
4 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**  
5 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

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

8 In the Matter of:

**DM-13-0594**

9 Family 1<sup>st</sup> Home Preservation LLC dba Family  
10 1<sup>st</sup> Home Preservation Services and Nathan  
11 Bishop, and Tobias West, aka Tobey West,  
12 Respondents.

**Consent to Entry of Order as to  
13 Respondents Family 1<sup>st</sup> Home Preservation  
14 LLC dba Family First Home Preservation  
15 Services and Nathan Bishop**

16 The Director of the Department of Consumer and Business Services for the State of  
17 Oregon (“Director”) conducted an investigation of Family 1<sup>st</sup> Home Preservation LLC dba  
18 Family 1<sup>st</sup> Home Preservation Services (Family), Nathan Bishop (Bishop), and Tobias West,  
19 aka Tobey West (West) and determined that Family and Bishop engaged in activities  
20 constituting violations of Oregon Revised Statutes (“ORS”) 86A.100 *et seq.* and Oregon  
21 Administrative Rules (“OAR”) 441-850-0005 through 441-885-0010 (collectively “Oregon  
22 Mortgage Lender Laws and Rules”) and ORS 697.602 to 697.842 and OAR 441-910-0000  
23 through 441-910-0120 (collectively “Oregon Debt Management Service Provider Laws and  
24 Rules”).

25 Bishop now wishes to resolve this matter with the Director and, to the extent of his  
26 involvement in Family, wishes to resolve this matter as to Family.

The proposed order in this matter as to Tobias West, aka Tobey West remains in full  
force and effect.



1 NOW THEREFORE, as evidenced by the authorized signature subscribed on this  
2 Consent Order, Family and Bishop consent to entry of this order upon the Director's Findings of  
3 Fact and Conclusions of Law as stated hereinafter.

4 **FINDINGS OF FACTS**

5 The Director finds that:

- 6 1. At all times material to this Order, Family 1<sup>st</sup> Home Preservation LLC reported a  
7 principal place of business of 8200 Wilshire Blvd, #209, Beverly Hills, California 90211.  
8 2. Family 1<sup>st</sup> Home Preservation LLC (Family) has never been registered with the Oregon  
9 Secretary of State to do business in Oregon.  
10 3. At all times material to this Order, Nathan Bishop (Bishop) was an owner/manger,  
11 associate, or employee of Family and was the registered agent for Family.  
12 4. Bishop has never been registered with the Oregon Secretary of State to do business in  
13 Oregon.  
14 5. Bishop has never been registered with the Oregon Secretary of State to do business in  
15 Oregon.  
16 6. Neither Family nor Bishop nor have ever held a license to engage in residential mortgage  
17 transactions as a mortgage broker in Oregon and have never been registered to provide debt  
18 management services in Oregon.

19 PF Transaction

- 20 7. At all times material to this order, consumer PF was an Oregon resident and was party to a  
21 home mortgage loan secured by real estate located in Oregon.  
22 8. In or about November of 2012, Family contacted PF and offered to modify PF's home  
23 mortgage and obtain a lower monthly mortgage payment for PF.  
24 9. PF paid Family \$1,097.50 by check number 177 dated December 7, 2012 and posted on  
25 December 6, 2012, via on-line banking.

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1 10. PF paid Family another \$1,097.50 by check number 178 dated January 7, 2013 and posted  
2 on January 8, 2013, via on-line banking.

3 11. In March of 2013, Family made several requests of PF to submit and resubmit monthly  
4 packets because Family claimed they were not receiving the documents requested.

5 12. During the time period between January and March of 2013, PF was in contact with a  
6 Family representative named Nathan. Nathan continually told PF that the process was going  
7 smoothly and that PF would be hearing from the underwriter shortly.

8 13. Because PF had not heard from the underwriter or Nathan in some time, PF sent Nathan  
9 an e-mail on May 24, 2013.

10 14. On May 28, 2013, PF sent Nathan another e-mail because she had not received a reply to  
11 her May 24, 2013, e-mail.

12 15. On May 29, 2013, PF discovered that the recently sent e-mail to Nathan had bounced back.  
13 PF then went on the internet and discovered that she was no longer able to contact the company via  
14 the internet.

15 16. PF did not receive a loan modification and did not receive a refund.

16 RAM transaction

17 17. At all times material to this order, consumer RAM was an Oregon resident and was party to  
18 a home mortgage loan secured by real estate located in Oregon.

19 18. In or about January of 2013, Family contacted RAM and told her they could help her obtain  
20 a loan modification and get rid of the second mortgage on her home.

21 19. In the hopes of obtaining loan modification services from Family, RAM sent two  
22 payments to Family. The payments were as follows:

23 a. On March 5, 2013, RAM sent \$1,500 to Family by check no. 50906.

24 b. On April 5, 2013, RAM sent \$1,495 to Family by check no. 50907.

25 20. RAM has made numerous attempts to contact Family, but Family refused to return phone  
26 calls and has ceased communications with RAM.



1 21. RAM has not received a loan modification or a refund.

2 **CONCLUSIONS OF LAW**

3 The Director concludes that:

4 1. Family operated under the direction and control of Bishop.

5 2. Family and Bishop acted as “mortgage brokers” under ORS 86A.100(5)(a)(C)

6 when Family and Bishop for compensation, or in the expectation of compensation, either  
7 directly or indirectly made, negotiated, or offered to make or negotiate a modification to the  
8 terms and conditions of a mortgage loan.

9 3. Family and Bishop engaged in “residential mortgage transactions in this state”  
10 under ORS 86A.103(2) by acting as a mortgage broker when Family and Bishop offered to  
11 negotiate a modification to the terms and conditions of PF’s residential mortgage loans secured  
12 by property located in Oregon.

13 4. Family engaged in “residential mortgage transactions in this state” under ORS  
14 86A.103(2) by acting as a mortgage broker when Family offered to negotiate a modification to  
15 the terms and conditions of RAM’s residential mortgage loans secured by property located in  
16 Oregon.

17 5. Family and Bishop violated 86A.103(1) by engaging in residential mortgage  
18 transactions in Oregon without first obtaining a license as a mortgage broker under ORS  
19 86A.095 to 86A.198.

20 6. Bishop violated ORS 697.612(1)(b)(E) by receiving money from PF for providing  
21 advice, assistance, instruction or instructional material concerning a debt management service,  
22 or modifying the terms and conditions of an existing loan.

23 7. Family violated ORS 697.612(1)(b)(E) by receiving money from PF and RAM for  
24 providing advice, assistance, instruction or instructional material concerning a debt management  
25 service, or modifying the terms and conditions of an existing loan.

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1 8. Family violated ORS 697.692 by accepting or receiving an initial fee of more than \$50  
2 from both PF and RAM.

3 9. Family and Bishop knowingly misrepresented to PF that they would provide  
4 loan modification services, failed to provide loan modification services, and failed to provide a  
5 refund in violation of ORS 86A.154(2).

6 10. Family knowingly misrepresented to RAM that it would provide loan modification  
7 services, failed to provide loan modification services, and failed to provide a refund in violation  
8 of ORS 86A.154(2).

9 11. Bishop aided and abetted Family in committing the above violations.

10 **ORDERS**

11 NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDER:

12 1. Pursuant to ORS 86A.127(4) and 697.825(1)(a), the Director hereby orders Family and  
13 Bishop and all entities owned or controlled by Family and Bishop to cease and desist from  
14 violating the Oregon statutes regulating mortgage lending, ORS 86A.100 et seq., and debt  
15 management service providers, ORS 697.602 to 697.842.

16 2. Respondent Bishop shall not engage in any business activity, including soliciting or  
17 advertising the availability of such activity, in Oregon that requires registration or licensing by  
18 the Division of Finance and Corporate Securities without first obtaining the requisite  
19 registration or license.

20 3. Respondent Bishop shall not advertise in any manner, including on any and all websites  
21 he is or may become associated with, that he provides products or services to Oregon consumers  
22 unless he is properly licensed or registered in Oregon to provide the product or service.

23 4. Respondent Bishop shall pay restitution to PF in the amount of \$2,195 and to RAM in  
24 the amount of \$2,995. Bishop shall make restitution payments of at least \$100 per month per  
25 individual until both PF and RAM are paid in full. Payments shall begin on the February 10,  
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1 2015 and continue on the same day of the month thereafter until the total amount owed each  
2 individual is paid in full.

3 5. Bishop shall provide proof of payment to the Division every six months until this  
4 matter is paid in full.

5 6. The addresses for the payments will be sent to Bishop under separate cover.

6 7. Failure of Family or Bishop to comply with any provision of this Consent Order will  
7 result in the full amount of restitution and civil penalties sought in the Notice Order dated  
8 August 11, 2014, less any payments, to become due and owing immediately.

9 8. The civil penalties in this matter shall be suspended for a period of five years. If  
10 Bishop fails to comply with any provision of this consent order, the full amount of the civil  
11 penalties shall become due and owing immediately.

12 Dated this 12th day of January, 2015.

13 PATRICK M. ALLEN, Director  
14 Department of Consumer and Business Services

15 /s/ David Tatman  
16 David C. Tatman, Administrator  
17 Division of Finance and Corporate Securities

18 **CONSENT TO ENTRY OF ORDER**

19 I, Nathan C. Bishop, individually and on behalf of Family, state that I have read the  
20 foregoing Consent Order and that I know and fully understand the contents hereof; that I have  
21 been advised of the right to a hearing and that I am represented by my attorney, Trent Whitford;  
22 that I voluntarily and without any force or duress, consent to the entry of this Consent Order,  
23 expressly waiving any right to a hearing in this matter; that I understand that the Director  
24 reserves the right to take further actions to enforce this Consent Order or to take appropriate  
25 action upon discovery of other violations of the Oregon Mortgage Lender Laws and Rules and  
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1 that I will fully comply with the terms and conditions stated herein.

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

3 Dated this 5 day of January 2015.

4  
5 /s/ Nathan C. Bishop  
6 Nathan C. Bishop individually and on behalf of Family  
7 First Home Preservation

8 **NOTARY ACKNOWLEDGMENT**

9 State of California )  
10 )ss.  
11 County of Los Angeles )

12 This instrument was acknowledged before me on January 5, 2015 by Nathan C.  
13 Bishop.

14 /s/ Armen Vartanian  
15 Notary Public – State of California  
16 My Commission Expires: July 27, 2016

17 *[The rest of this section intentionally left blank.]*  
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