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**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:

**Alameda Mortgage Corporation,
NMLS 271603**

Respondent.

M-15-0120

**Order to Cease and Desist and Consent
to Entry of Order**

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The Director of the Department of Consumer and Business Services for the State of Oregon (the Director), acting pursuant to the authority contained in Oregon Revised Statutes (ORS) 86A.100 et seq. and Oregon Administrative Rules (OAR) 441-850-0005 through 441-885-0010 (collectively cited as “the Oregon Mortgage Lender Law”) conducted an investigation into the activities of Alameda Mortgage Corporation (Alameda) and determined that Alameda engaged in activities constituting a violation the Oregon Mortgage Lender Law more specifically set out below. Alameda now wishes to resolve and settle this matter with the Director.

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NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Alameda hereby **CONSENTS** to entry of this order upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter:

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FINDINGS OF FACT

The Director finds that:

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1. Alameda is a foreign corporation first incorporated in California on September 6, 1973, and first registered with the Oregon Secretary of State on July 18, 2005.





- 1 2. Alameda obtained an Oregon mortgage broker license from the Division of
2 Finance and Corporate Securities (Division) on June 11, 2012, and was issued ML 5129.
- 3 3. Alameda's principal place of business is located at 780 San Ramon Valley Blvd.,
4 Danville, CA94526.
- 5 4. The Oregon Mortgage Lender Law requires licensed mortgage bankers and
6 mortgage brokers to file quarterly reports with the Division concerning their residential
7 mortgage lending activity.
- 8 5. In 2011 the Nationwide Mortgage Licensing System (NMLS) released its mortgage
9 call report (MCR) functionality. The MCR is comprised of individual reports of activity by
10 state, called Residential Mortgage Loan Activity reports (RMLA) that are compiled
11 and submitted by the company through NMLS on a quarterly basis for each state in which the
12 company does business or sponsors a mortgage loan originator license.
- 13 6. The MCR functionality was developed to provide entities licensed as mortgage
14 lenders the ability to submit quarterly activity reports. Licensed mortgage lenders must submit
15 MCR and RMLA reports through the NMLS system within 45 days of the end of the quarter.
- 16 7. The NMLS online resource center provides the following MCR/RMLA
17 submission deadlines: (1) Quarter one (Q1) – January 1 through March 31 – due May 15; (2)
18 Quarter two (Q2) April 1 through June 30, due August 14; (3) Quarter three (Q3) July 1 through
19 September 30, due November 14; and (4) Quarter four (Q4) October 1 through December 31,
20 due February 14.
- 21 8. The Q2 report for 2015 was due by August 14, 2015.
- 22 9. The compliance campaign for 2015 Q2 MCRs began on July 27, 2015. As Alameda
23 had not filed the 2015 Q2 MCR by July 27, 2015, the Division sent an e-mail to Alameda's e-
24 mail address of record notifying Alameda of the up-coming deadline.
- 25 10. The e-mail was sent to patricia.karleskind @alamedamortgage.com which is listed as
26 the e-mail address of record.



1 11. Because the company missed the August 14, 2015, deadline, NMLS automatically
2 placed a deficiency on Alameda's license on August 15, 2015, notifying Alameda of the
3 obligation to file the 2015 Q2 MCR.

4 12. On August 17, 2015, the Division reviewed the company's records and found that
5 the company still had not filed the 2015 Q2 MCR report. The Division then verified that the
6 company had a license during the second quarter of 2015 and that the company had employed at
7 least one licensed loan originator during the same time period.

8 13. The Division sent a letter to Alameda on August 17, 2015, notifying Alameda of the
9 filing requirement and informing the company that if it did not file the report by September 17,
10 2015, the matter would be referred for enforcement action and assessment of a civil penalty.

11 14. Alameda filed its 2015 Q2 MCR and RMLA report on October 12, 2015. However,
12 the report contained inaccuracies and the Division placed a deficiency on Alameda's license.
13 On October 15, 2015, Alameda corrected report and the deficiency was removed.

14 **CONCLUSIONS OF LAW**

15 The Director concludes that:

16 1. Alameda violated ORS 86A.239(2) and OAR 441-865-0025 by failing to file the
17 2015 Q2 MCR report for Oregon, including the RMLA for Oregon, in NMLS by August 14,
18 2015.

19 **ORDERS**

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

21 1. The Director, pursuant to ORS 86A.127, hereby orders Alameda to cease
22 and desist from violating Oregon's Mortgage Lender Law.

23 2. The Director, pursuant to ORS 86A.224(3) and 86A.992 may assess civil penalties
24 of up to \$5,000 per violation for each separate instance of violation, up to a maximum of
25 \$20,000 for a continuing violation.

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1 3. The Director, pursuant to ORS 86A. 224(3) and 86A.992(2), hereby orders Alameda
2 to pay a civil penalty of \$1000 for violating ORS 86A.239 and OAR 441-865-0025.

3 Dated this 13th day of November, 2015 at Salem, Oregon.

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

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

9 **ENTITY CONSENT TO ENTRY OF ORDER**

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

18 Alameda further assures the Director that neither Alameda, nor its officers, directors,
19 employees, or agents will effect mortgage transactions in Oregon unless such activities are in
20 full compliance with the Oregon Mortgage Lender Law. Alameda understands that this
21 Consent Order is a public document.

22 Dated this 6th day of November 2015, at Danville,
23 California.

24 By /s/ Patricia L. Karleskind
25 President, Alameda Mortgage Office Held
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ENTITY ACKNOWLEDGMENT

State of California)
)ss.
County of)

There appeared before me this _____ day of _____, 2015,
_____ who was first duly sworn on oath, and stated that (s)he was and
is an officer of Alameda and that (s)he is authorized and empowered to sign this Consent to
Entry of Order on behalf of Alameda and to bind Alameda to the terms hereof.

See Attached Notary
Notary Public for the State of: California
My commission expires: _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____
_____ 2015 by _____ provided to me on the basis of satisfactory
evidence to be the person who appeared before me.

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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



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Contra Costa)

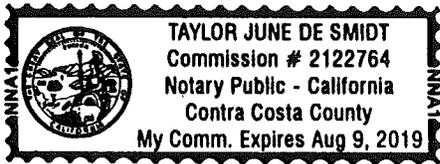
On November 6, 2015 before me, Taylor June DeSmidt, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Patricia C. Karleskind
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature T. J. DeSmidt
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____