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2
3 STATE OF OREGON
4 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
5 DIVISION OF FINANCIAL REGULATION

6 In the Matter of:

Case No. M-16-0343

7 Aktar Zaman and Erika Solis-Rodriguez,

ORDER TO CEASE AND DESIST
AND FINAL ORDER ASSESSING
CIVIL PENALTIES, ENTERED BY
DEFAULT AS TO ERIKA SOLIS-
RODRIGUEZ

8 Respondents.

9
10 On October 24, 2016, the Director of the Department of Consumer and Business
11 Services for the State of Oregon (“Director”), by and through the Division of Financial
12 Regulation (“Division”), properly served Notice on Aktar Zaman (“Zaman”) and Erika
13 Solis-Rodriguez (“Solis-Rodriguez”) to cease and desist and proposing to assess a civil
14 penalty based on an investigation into activities constituting a violation of Oregon
15 Revised Statutes (“ORS”) 86A.100 et seq. and Oregon Administrative Rules (“OAR”)
16 441-850-0005 through 441-885-0010 (“Oregon Mortgage Lender Law”).

17 The Notice offered Solis-Rodriguez an opportunity for a hearing, if requested
18 within 30 days. The Notice further informed Solis-Rodriguez that if a hearing was not
19 conducted because Solis-Rodriguez did not timely request a hearing or otherwise
20 defaulted, then the designated portion of the Director’s file and all materials submitted by
21 Solis-Rodriguez in this case would automatically become part of the contested case
22 record for the purpose of proving a *prima facie* case.

23 The Director did not receive from Solis-Rodriguez a request for a hearing and did
24 not conduct a hearing.

25 The Director finds that the record of this proceeding proves a *prima facie* case.

26 The Director makes the following Findings of Fact, Conclusions of Law, Orders,

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 and Notice of Right to Judicial Appeal.

2 FINDINGS OF FACT

3 The Director FINDS that:

4 1. Solis-Rodriguez created an internet website, ironwoodmortgage.com,
5 advertising residential mortgage finance services including loans for residential home
6 purchases, refinancing services and reverse mortgages.¹ The website did not provide any
7 contact information, mailing address or name of loan originators.

8 2. The domain name “ironwoodmortgage.com” was registered in July 2013 to
9 Erika Rodriguez with the address of 11138 Ventura Blvd., Studio City, California 91604,
10 phone number of (818) 649-4735 and email address of erika@libertyonemortgage.com.²
11 Research revealed that Erika Solis-Rodriguez was contacted at the 11138 Ventura Blvd.
12 address in October 2013.

13 3. In August 2015, Zaman rented a postal box from The Postal Pouch with the
14 address of 11012 Ventura Blvd., #129, Studio City, CA 91604. Zaman provided a copy
15 of his California driver’s license, a medical insurance card and the phone number (818)
16 649-4735, the same number used by Solis-Rodriguez. The application for the postal box
17 indicates that Zaman would be receiving mail in the name of Ironwood Mortgage
18 (“Ironwood”).

19 4. In December 2015, JW, an Oregon resident, searched an internet brokerage
20 website to identify potential lenders to refinance mortgages that she had on two
21 residential properties. On the website, JW provided her contact information and
22 information regarding her properties.

23 5. On or about December 23, 2015, JW received a phone call from Matt

24 _____
25 ¹ Ironwood Mortgage was a legitimate mortgage broker licensed in Washington from 2007 to 2015.
26 Respondent assumed Ironwood Mortgage’s name. Ironwood Mortgage and previous owners/affiliates are not respondents or responsible for the persons named in this order.

² See Oregon Department of Consumer and Business Service, Division of Finance and Corporate Securities’ Final Order, *In the Matter of: Liberty One Mortgage*, M-14-0031.





1 Anderson (“Anderson”), who identified himself as a loan officer of Ironwood.³

2 6. Anderson followed up the phone conversation with an email from
3 matt@ironwoodmortgage.com. The email included a link to the Ironwoodmortgage.com
4 website, a “Home Loan Refinance Agreement” and a list of items that JW was to provide
5 to begin the loan process.

6 7. JW sent Ironwood a check in the amount of \$3000, which represented \$1500
7 fee per property, to cover costs associated with title, escrow, processing and appraisal of
8 the properties. The check was mailed to 11012 Ventura Blvd., #129, Studio City, CA
9 91604. After the check cleared, Anderson stopped responding to JW’s email.

10 8. In December 2015 and January 2016, DS, an Oregon resident, began
11 communicating with Anderson of Ironwood by telephone and email for the purpose of
12 refinancing his home loan.

13 9. DS sent Ironwood a check in the amount of \$1500 to cover costs associated
14 with title, escrow, processing and appraisal of the properties. The check was mailed to
15 11012 Ventura Blvd., #129, Studio City, CA 91604.

16 10. Anderson requested an additional \$4,430 to begin a refinancing loan on a
17 second property owned by DS.

18 11. DS attempted to find the 11012 Ventura Blvd address in Studio City and
19 found that it was a mail drop store in a strip mall.

20 12. DS requested that Anderson and Ironwood refund the \$1,500 he had
21 previously sent. Communications between DS and Anderson ended. DS did not receive
22 a refund.

23 13. The checks from JW and DS were cashed at a check cashing store.

24 14. A search was completed on Nationwide Multistate Licensing System
25

26 ³ It is believed that Matt Anderson is a fictitious person and alias created by Solis-Rodriguez for the purpose of hiding their identities from potential consumers.

1 (“NMLS”) to see if Aktar Zaman or Erika Solis-Rodriguez were licensed as mortgage
2 loan originators in Oregon or any other state. Solis-Rodriguez was not licensed.

3
4 **CONCLUSIONS OF LAW**

5 The Director CONCLUDES that:

6 15. Solis-Rodriguez acted as a mortgage broker under ORS 86A.100(5)(a)(C)
7 when she for compensation, or in the expectation of compensation, either directly or
8 indirectly made, negotiated, or offered to make or negotiate a mortgage loan.

9 16. Under ORS 86A.103, it is unlawful for any person to engage in residential
10 mortgage transactions in this state as a mortgage banker or mortgage broker unless the
11 person is licensed. Solis-Rodriguez violated ORS 86A.103 by entering into an agreement
12 with JW and DS to refinance residential homes when Solis-Rodriguez were not licensed
13 as mortgage brokers in Oregon or any other state.

14 17. Pursuant to ORS 86A.154(3), it is unlawful for any person, directly or
15 indirectly, in connection with the conduct of a mortgage banker or mortgage broker
16 business to engage in any act, practice or course of business which operates or would
17 operate as a fraud or deceit upon any person. Solis-Rodriguez violated ORS 86A.154(3)
18 when she collected \$4500 from JW and DS to refinance mortgages when Solis-Rodriguez
19 were not licensed mortgage brokers and had no intent to provide any mortgage refinance
20 services to JW and DS.

21 18. The Director, pursuant to ORS 86A.992 may assess civil penalties of up to
22 \$5,000 per violation for each separate instance of violation, up to a maximum of \$20,000
23 for a continuing violation.

24
25 **ORDERS**

26 Now therefore, the Director issues the following Orders:



1 19. The Director, pursuant to ORS 86A.127, hereby ORDERS Solis-Rodriguez to
2 CEASE AND DESIST from violating Oregon’s Mortgage Lender Law.

3 20. Based upon the foregoing and in accordance with ORS 86A.992, the Director
4 hereby IMPOSES a CIVIL PENALTY against Solis-Rodriguez of twenty thousand
5 dollars (\$20,000), as follows:

6 A. A CIVIL PENALTY of ten thousand dollars (\$10,000) for two separate
7 violations of ORS 86A.103 (Solis-Rodriguez offered to refinance residential home
8 mortgages for JW and DS when she was not licensed as a mortgage broker); and

9 B. A CIVIL PENALTY of ten thousand dollars (\$10,000) for two separate
10 violations of ORS 86A.154(3) (Solis-Rodriguez engaged in a course of business which
11 operated as a fraud upon JW and DS).

12
13 SO ORDERED this 20th day of December, 2016 in Salem,
14 Oregon.

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

17 /s/ David Tatman
18 David C. Tatman, Chief of Enforcement
19 Division of Financial Regulation

20 NOTICE OF RIGHT TO JUDICIAL APPEAL

21 You are entitled to judicial review of this order in accordance with ORS 183.482.
22 You may request judicial review by filing a petition with the Court of Appeals in Salem,
23 Oregon, within 60 days from the date this order is served.

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