STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: Blackhawk Capital Group NMLS #247939, Respondent.	Case No. M-17-0088 ORDER TO CEASE AND DESIST, FINAL ORDER ASSESSING CIVIL PENALTIES AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("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 ("Oregon Mortgage Lender Law") and having investigated the activities of Blackhawk Capital Group ("Blackhawk"), and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Blackhawk 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. Blackhawk is a California Corporation registered on July 2, 2008.

2. Blackhawk, NMLS #247939, obtained an Oregon mortgage broker/banker license from the Division of Finance and Corporate Securities, currently known as the Division of Financial Regulation ("Division"), on July 14, 2015.

3. NPS's principal place of business is located at 3416 Via Oporto, #301, Newport Beach, CA 92663.

4. In 2011 the Nationwide Mortgage Licensing System ("NMLS") released the

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mortgage call report ("MCR") functionality. The MCR includes a licensed mortgage broker or banker's Residential Mortgage Loan Activity ("RMLA") that is compiled and submitted by the company to NMLS on a quarterly basis, and for standard filers like Blackhawk, a financial condition report must be filed annually 90 days after the end of the company's fiscal year.

5. The quarterly reports are due 45 days following the end of each quarter such that the first quarter ("Q1") MCR was due on May 15, 2017.

6. Blackhawk employed at least one licensed loan originator during the 2017 Q1.

7. Since Blackhawk had not filed the 2017 Q1 MCR with Oregon RMLA, on May 1, 2017, the Division sent an e-mail to Blackhawk's e-mail address of record notifying of the filing deadline.

8. The email was sent to srobbins@bhcapitalgroup.com which has been the e-mail address of record for Blackhawk at all times relevant to this order.

9. Since Blackhawk had not filed the 2017 Q1 MCR by the deadline, on May 16, 2017, NMLS automatically placed a deficiency on Blackhawk's license notifying of the obligation to file the 2017 Q1 MCR. The deficiency sends an email to the licensee.

10. On June 1, 2017, the Division sent an e-mail to Blackhawk's address of record notifying that it must file the 2017 Q1 MCR, and if it did not do so by July 1, 2017, the matter would be referred for enforcement action to impose a civil penalty.

11. Also on June 1, 2017, the Division sent a letter to Blackhawk's principal place of business notifying that the report had to be filed on July 1, 2017 or the matter would be referred for enforcement action to impose a civil penalty.

12. Blackhawk filed MCR on July 20, 2017, sixty-six days late.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

13. By failing to file the 2017 Q1 MCR including RMLA for Oregon in NMLS by

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May 15, 2017, Blackhawk violated ORS 86A.239(2) and OAR 441-865-0025.

14. Pursuant to ORS 86A.992, the Director may assess civil penalties of up to $5,000 per violation of the Oregon Mortgage Lender Law.

ORDERS

Now therefore, the Director issues the following Orders:

15. As authorized by ORS 86A.127, the Director ORDERS Blackhawk to CEASE AND DESIST from violating any provision of Oregon's Mortgage Lender Law.

16. The Director hereby ORDERS Blackhawk to pay a civil penalty of $1,000 for the violation of ORS 86A.239(2) and OAR 441-865-0025.

SO ORDERED this 8th day of September , 2017.

JEAN STRAIGHT, Acting Director
Department of Consumer and Business Services

/s/ T.K. Keen
TK Keen, Deputy Administrator
Division of Financial Regulation

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ENTITY CONSENT TO ENTRY OF ORDER

I, SEAN ROBBINS, state that I am an officer of Blackhawk Capital Group and I am authorized to act on its behalf. I have read the foregoing order, and I know and fully understand the contents hereof. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Blackhawk Capital Group voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter Blackhawk Capital Group understands that the Director reserves the right to take further actions to enforce this order or to take appropriate action upon discovery of other violations of the Oregon Insurance Code. Blackhawk Capital Group will fully comply with the terms and conditions stated herein.

Blackhawk Capital Group understands that this order is a public document.

BLACKHAWK CAPITAL GROUP

/s/ Sean Robbins
Signature

State of California

County of Riverside

There appeared before me on this 1st day of August, 2017, SEAN ROBBINS who was first duly sworn on oath, and stated that he/she was and is an officer of Blackhawk Capital Group and that he/she is authorized and empowered to sign this Consent to Entry of Order on behalf of Blackhawk Capital Group and to bind Blackhawk Capital Group to the terms hereof.

/s/ Y. Vasquez
Notary Public

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