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

In the Matter of:	Case No. M-17-0128
FIRST AMERICAN HOME LOANS, INC., a Foreign Business Corporation, Respondent.	ORDER TO CEASE AND DESIST, ORDER ASSESSING CIVIL PENALTY, AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director") conducted an investigation of First American Home Loans, Inc. ("Respondent") and determined that Respondent engaged in activities constituting violations of Oregon Revised Statutes ("ORS") 86A.095 et seq. and Oregon Administrative Rules ("OAR") 441-850-0005 through 441-885-0010 (collectively, "Oregon Mortgage Lender Law").

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the authorized signature subscribed on this Order, Respondent hereby CONSENTS to entry of this Order upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter.[1]

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is a California corporation with a principal place of business located at 1748 W. Katella Ave., #204, Orange, CA 92867.

2. Respondent's Nationwide Mortgage Licensing System ("NMLS") number is 197155.

3. On August 22, 2016, Respondent was issued Oregon mortgage banker/broker

[1] Respondent does not necessarily agree with all the Director's Findings of Fact and Conclusions of Law.

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license number ML-5454.

4. At all relevant times, Respondent has employed at least one licensed mortgage loan originator.

5. Russell Pigeon ("Pigeon") has had an active company relationship with Respondent since October 1, 2014, serving as Respondent's Quality Assurance Manager. Pigeon's NMLS number is 1515375.

6. At no relevant time was Pigeon licensed in Oregon as a mortgage loan originator.[2]

7. From approximately February 2017 through May 2017, Pigeon, acting on Respondent's behalf, offered or negotiated terms for a residential mortgage loan for residential property in Oregon.

8. John Rock ("Rock") has had an active company relationship with Respondent since February 1, 2009, serving as Respondent's Vide President and a loan officer. Rock's NMLS number is 869110.

9. At no time has Rock been licensed in Oregon as a mortgage loan originator.[3] Rock has a pending application to obtain an Oregon mortgage loan originator license.

10. From approximately February 2017 through May 2017, Rock, acting on Respondent's behalf, offered or negotiated terms for a residential mortgage loan for residential property in Oregon.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. By offering or negotiating a residential mortgage loan in Oregon, Pigeon and Rock engaged in business as mortgage loan originators.

12. By failing to ensure that Pigeon and Rock were licensed in Oregon as

[2] Pigeon was issued an Oregon mortgage loan originator license on January 8, 2018.

[3] Rock currently holds Arizona and Colorado mortgage loan originator licenses, and a California real estate broker license endorsement.

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mortgage loan originators, Respondent violated OAR 441-860-0040(1).

13. Because the Director has reason to believe that Respondent has engaged in the foregoing violation of the Oregon Mortgage Lender Law, the Director may issue an order to Respondent to cease and desist from violations of the Oregon Mortgage Lender Law, under ORS 86A.127(4).

ORDERS

Now therefore, the Director issues the following Orders:

14. As authorized by ORS 86A.127(4), the Director ORDERS Respondent to CEASE AND DESIST from violating the Oregon Mortgage Lender Law.

15. As authorized by ORS 86A.992(1), the Director hereby ORDERS that Respondent be subject to a CIVIL PENALTY of $5,000 for violating OAR 441-860-0040(1).

16. The Director hereby suspends payment of $3,750 of the civil penalty for a period of three years, provided Respondent:

a. Pays the remaining $1,250 of the civil penalty at the time this Order is submitted to the Director; and

b. Does not violate the Oregon Mortgage Lender Law, excepting OAR Chapter 441, Division 865, within the three-year time period.[4]

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[4] The Director may take action for violation(s) of OAR Chapter 441, Division 865 occurring within the three-year suspension period, but such violation(s) would not result in assessment of the suspended civil penalty.

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17. The suspended civil penalty ($3,750) will be waived three years from the date this Order is finalized, provided Respondent has complied with the foregoing Order terms. The Director reserves the right to immediately assess and collect the suspended civil penalty upon a determination that Respondent has violated any term of this Order.

SO ORDERED this 15th day of February, 2018.

CAMERON C. SMITH, Director
Department of Consumer and Business Services

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

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ENTITY CONSENT TO ENTRY OF ORDER

I, Mark Bryan, state that I have read the foregoing Order and that I know and fully understand the contents hereof. I have been advised of my right to a hearing and of my right to be represented by counsel in this matter. I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order. I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law by me. I will fully comply with the terms and conditions stated herein.

I further assure the Director that neither I nor my officers, directors, employees, or agents will effect mortgage transactions in Oregon unless such activities are in full compliance with the Oregon Mortgage Lender Law. I understand that this Consent Order is a public document.

/s/ Mark Bryan
Mark Bryan, President of Respondent

State of California

County of Orange

Signed or attested before me on this 31st day of January, 2018 by Mark Bryan.

/s/ Wilda Lopez
Notary Public

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