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

In the Matter of: Brian Russell Wilhite, NMLS# 1698131 Respondent.	M-18-0023 FINAL ORDER GRANTING CONDITIONAL MORTGAGE LOAN ORIGINATOR LICENSE AND CONSENT TO ENTRY OF ORDER

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter "the Director") conducted an investigation of Brian Russell Wilhite (hereinafter "Wilhite") and determined that issuing a conditional mortgage loan originator license to Wilhite, pursuant to ORS 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter cited as the "Oregon Mortgage Lender Law"), is appropriate; and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Wilhite 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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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

I. FINDINGS OF FACT

The Director FINDS that:

1. On January 24, 2018, Wilhite applied for an mortgage loan originator license with the Oregon Division of Financial Regulation ("Division").

2. In answering the license application disclosures questions, Wilhite reported that, on three occasions from 1994-2008, he had been named as a defendant in a financial services-related, consumer initiated arbitration or civil litigation which either resulted in an arbitration award, civil judgment or settlement.

3. Wilhite previously worked in the securities industry for several investment firms when he was named in these cases.

4. Wilhite also reported a prior bankruptcy filing and a federal tax lien on his application.

II. CONCLUSIONS OF LAW

The Director CONCLUDES that:

1. The above-referenced financial service-related consumer initiated cases naming Wilhite implicates the financial responsibility requirements of ORS 86A.212(1)(d). This finding under ORS 86A.212(1)(d) serves as a finding of the Director pursuant to ORS 86A.224 warranting the issuance of a conditional mortgage loan originator license to Wilhite. The Director's finding under ORS 86A.212 justifies a decision to condition Wilhite's mortgage loan originator's license under ORS 86A.224(1)(b).

ORDER

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDER:

The Director, pursuant to ORS 86A.224, hereby ORDERS that, effective the date of this order, a conditional Oregon mortgage loan originator license shall be issued to Wilhite until further order of the Director subject to renewal fee and document requirements. The conditional license shall be subject to the following conditions such that if Wilhite fails to comply, he agrees that the license shall be revoked:

1. For purposes of this conditional license, "private investor" or "private money" loans include those funded from private sources and not from institutional or conventional lenders.
2. Wilhite shall not originate a mortgage loan that involves private investor funds; and
3. Wilhite shall not receive any compensation from a loan transaction involving private money funds.

Wilhite acknowledges that if he has questions regarding whether his participation in a

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transaction would implicate the conditions placed on this license, he should contact the Division's licensing section.

The entry of this Order in no way limits further remedies which may be available to the Director under Oregon law including for the violations noted in the Conclusions of Law section above.

Dated this 13th day of April, 2018.

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

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

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CONSENT TO ENTRY OF ORDER

I, Brian Russell Wilhite, state that 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, and I desire to resolve and settle this matter with the Director. I voluntarily, without any force or duress, consent to the entry of this order, expressly waiving any right to a hearing in this matter. I understand 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 Mortgage Lender Law, and I will fully comply with the terms and conditions stated herein.

I understand that this consent order is a public document.

Dated this 9th day of April, 2018.

By /s/ Brian Russell Wilhite

/s/ Linda M. Phillips
Notary Public
Notary Public for the State of: Oregon
My commission expires: 09/26/2021

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