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**DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES
ENFORCEMENT SECTION
BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

In the Matter of:

**MARK A. CARAVIA, NOVA
FINANCIAL GROUP LLC, AND
"NOVA FINANCIAL SERVICES LLC"**

Respondents.

**M-09-0031

FINAL ORDER TO CEASE AND DESIST
and
ORDER ASSESSING CIVIL PENALTIES
BY DEFAULT**

On July 2nd, 2009, the Director of the Department of Consumer and Business Services for the State of Oregon (hereafter the "Director"), acting by and pursuant to the authority of Oregon Mortgage Lender Law, Chapter 59 of the Oregon Revised Statutes, and other applicable authority, issued Administrative Order No. M-09-0031 to Cease and Desist and Assessing Civil Penalties and Notice Of Right To Hearing (hereafter "the Order") against Respondents Mark A. Caravia, Nova Financial Group LLC, and "Nova Financial Services LLC."

On July 7, 2009, Respondents Mark A. Caravia, Nova Financial Group LLC, and "Nova Financial Services LLC" were duly served with a true copy of the Order and Notice by United States Mail, postage prepaid, and addressed to Respondents at the following last known address: 27 S. State St. #230F, Lake Oswego, Oregon 97034. On July 7, 2009, the United States Post Office delivered this certified mailing, which was signed for by Sudha Bajpai. A second mailing was sent via first class mail to Mark A. Caravia's last known address per Oregon DMV records: 687 N Massachusetts, Portland Oregon 97227. Delivery was attempted at both 687 N Massachusetts, Portland Oregon 97227 and 3954 N Massachusetts, Portland Oregon 97227. This mailing was returned, marked "return to Sender Mark Caravia, Moved Left no Address, unable to forward."

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Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street, NE, Suite 410
Salem, OR 97331-3881
Telephone: (503) 378-4140



1 Respondents Mark A. Caravia, Nova Financial Group LLC, and “Nova Financial
2 Services LLC” have not made a written request for a contested case hearing in this matter and
3 the time to do so has expired.

4 **NOW THEREFORE**, after consideration of the Investigation Report and accompanying
5 exhibits submitted in this matter by Jason Weber, Financial Enforcement Officer, the Director
6 hereby issues the following Findings of Fact, Conclusions of Law, and Final Order:

7 **FINDINGS OF FACT**

8 The Director **FINDS** that:

9 1. Nova Financial Group LLC was an Oregon company registered with the Oregon
10 Secretary of State, in October, 2005, administratively dissolved on December 17, 2007. Mark
11 Caravia was listed as a Managing Member. The principal place of business for Nova Financial
12 Group LLC was listed as 27 S. State St., #230F, in Lake Oswego, Oregon, 97034. Nova
13 Financial Group LLC has never been licensed by DFCS as a mortgage banker or mortgage
14 broker.

15 2. Nova Financial Services LLC (hereinafter “Nova Financial”), was a business
16 name used by Mark A. Caravia. Nova Financial Services LLC is not listed as a legal entity or
17 assumed business name by the Oregon Secretary of States office. Nova Financial has never been
18 licensed by DFCS as a mortgage banker or mortgage broker.

19 3. Mark A. Caravia, (hereinafter “Caravia”) 687 North Massachusetts, Portland,
20 Oregon 97227, has never been licensed by DFCS as a mortgage banker or mortgage broker.

21 4. Hereinafter Mark A. Caravia, Nova Financial, and Nova Financial Group LLC
22 will be referred to collectively as “Respondents.”

23 5. From August 2006, through May 2008, Caravia was listed as a loan originator by
24 America One Finance, (hereinafter A.O.F.). A.O.F. has never registered a branch office with
25 DFCS at 27 S. State Street, in Lake Oswego, Oregon.

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1 6. From October 2006, through April 2007, Respondents advertised Nova Financial
2 via an internet web site, www.novafs.com. The web site provided the business address 27 S.
3 State Street., #230F, in Lake Oswego, Oregon, 97034. The web site indicated that Nova
4 Financial had three Managing Partners including Caravia.

5 7. The banner on the web site stated the business name “Nova Financial Services,
6 LLC” in large font on each of the sites pages. This banner occupied approximately 20% of the
7 top of each viewable webpage. The name A.O.F. did not appear on any of the web pages viewed
8 by the DFCS investigator.

9 8. The web site advertised that Nova Financial were “trustworthy and reliable
10 mortgage brokers who get the job done right.” The web site contained a link on the “Contacts”
11 page which allowed the viewer to submit information to Respondents for the purpose of
12 obtaining a “Loan Quote.” The web site stated: “contact us for your mortgage loan and
13 mortgage refinance needs in . . . Oregon.” The web site had a section where a viewer could
14 download and print various mortgage-related forms which could be completed and returned to
15 Respondents to begin the loan origination process.

16 9. On February 22, 2007, a DFCS Investigator visited the Respondent’s business
17 location at 27 S. State Street., #230F, in Lake Oswego, Oregon, 97034. During this visit, the
18 Investigator obtained a business card from a desk in the office for a Paul Gillaspay, (hereafter
19 “Gillaspay”). The business card stated that Nova Financial existed for the purpose of “Real Estate
20 Financing” and that Gillaspay was a “Finance Specialist” and “Partner” of “Nova Financial
21 Services LLC.” The business card indicated Nova Financial was located at 27 S. State Street,
22 #230F, in Lake Oswego, Oregon, 97034. The name A.O.F. does not appear anywhere on the
23 business card.

24 10. A.O.F. did not know that Caravia used, nor did they authorize Caravia to
25 advertise mortgage broker services under, the name “Nova Financial Services.” Upon learning
26

1 that Caravia was advertising under the name "Nova Financial Services", A.O.F. terminated
2 Caravia as a loan originator.

3 CONCLUSIONS OF LAW

4 The Director **CONCLUDES** that:

5 1. Soliciting residential mortgage applications over the internet and in person using
6 an Oregon business site constitutes engaging in or attempting to engage in Oregon residential
7 mortgage transactions pursuant to ORS 59.845(2).

8 2. Respondents violated ORS 59.845(1) by engaging in or attempting to engage in
9 Oregon residential mortgage brokering activity without a license when Respondents solicited
10 residential mortgage applications from Oregon consumers by placing an advertisement on their
11 Nova Financial Services webpage which stated: "contact us for your mortgage loan and
12 mortgage refinance needs in . . . Oregon."

13 3. By advertising that Nova Financial was a mortgage broker, Respondents
14 published an advertisement that was false, misleading, or deceptive in violation of ORS
15 59.945(1).

16 4. By advertising under the name Nova Financial, Respondents advertised under a
17 name that was not listed on any license issued by the Director in violation of ORS 59.945(2).

18 5. By engaging in a residential mortgage activity under the name Nova Financial
19 without the knowledge or permission of his employer, America One Finance, Caravia engaged in
20 dishonest, unfair, or unethical practices while employed as a loan originator in violation of ORS
21 59.971(1)(a).

22 ORDER

23 **NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:**

24 The Director, pursuant to ORS 59.885(4) hereby **ORDERS** that Respondents shall
25 **CEASE AND DESIST** from violating any provision of Oregon Mortgage Lender Law, OAR
26 441-850-0005 through 441-885-0010 and any rule, order or policy issued by the Division.



1 The Director, pursuant to ORS 59.996 hereby **ORDERS** Respondents pay the State of
2 Oregon a **CIVIL PENALTY** of **TEN THOUSAND** dollars, **(\$10,000)**. The civil penalty is
3 based upon 1) **\$5,000** for violating ORS 59.845(1), 59.845(2); and 2) **\$5,000** for violating ORS
4 59.945(1) and 59.945(2); Respondents are jointly and severally liable for the Ten Thousand
5 dollar (\$10,000) civil penalty.

6 The Director further **ORDERS** Mark A. Caravia pay the State of Oregon a **CIVIL**
7 **PENALTY** of **FIVE THOUSAND** dollars, **(\$5,000)** for violating ORS 59.971(1)(a).

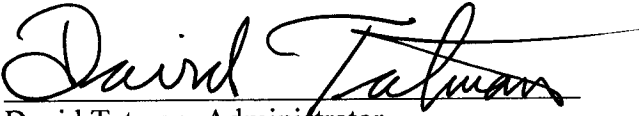
8 The entry of this Order in no way limits further remedies which may be available to the
9 Director under Oregon law.

10 **IT IS SO ORDERED.**

11
12 Dated this 1st day of September 2009, at Salem, Oregon, Nunc

13 Pro Tunc July 2, 2009.

14 CORY STREISINGER, Director
15 Department of Consumer and Business Services

16 
17 David Tatman, Administrator
18 Division of Finance and Corporate Securities

19 NOTICE: You are entitled to judicial review of this Order. Judicial review may be
20 obtained by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the
21 service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the
22 Oregon Court of Appeals.

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