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6 **STATE OF OREGON**
7 **DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**
8 **DIVISION OF FINANCE AND CORPORATE SECURITIES**

9 In the Matter of:

DM-12-0071

10 National Mitigation Corp

**Final Order to Cease and Desist,
Final Order Assessing Civil Penalties
Entered by Default**

11 Respondent.

12 On August 8, 2012, the Director of the Department of Consumer and Business
13 Services for the State of Oregon (“Director”) acting pursuant to the authority contained in
14 Oregon Revised Statutes (“ORS”) 86A.100 *et. seq.* and Oregon Administrative Rules
15 (“OAR”) 441-850-0005 through 441-885-0010 (collectively “Oregon Mortgage Lender Laws
16 and Rules”) and ORS 697.602 to 697.842 and OAR 441-910-0000 through 441-910-0120
17 (collectively “Oregon Debt Management Service Provider Laws and Rules”), issued
18 Administrative Order No. DM-11-0034 Order to Cease and Desist, Proposed Order Assessing
19 Civil Penalties and Notice of Right to a Hearing (“Notice Order”) against National Mitigation
20 Corp (“National Mitigation”).

21 On August 8, 2012, Michelle Cousimano, the agent for service of process for National
22 Mitigation, was properly served the Notice Order by certified U.S. Mail at 1519 E. Chapman
23 Avenue, #359, Fullerton, CA 92831. Respondent has not made a written demand for a
24 hearing in this matter and the time to do so has expired.

25 NOW THEREFORE, after consideration of the file in this matter maintained by the
26 Oregon Department of Consumer and Business Services, the Director hereby issues the



1 following Findings of Fact, Conclusions of Law, and Final Orders.

2 **FINDINGS OF FACT**

3 The Director finds that:

4 1. Based on a search of the California Secretary of State (“California SOS”) website
5 on July 26, 2012, National Mitigation is a domestic corporation (Entity No. C3331805) first
6 filed with the California SOS on November 4, 2010 and is currently active.

7 2. Based on a search of the Oregon Secretary of State (“Oregon SOS”) Corporations
8 Division website on July 26, 2012, National Mitigation is not, as of the date of this search,
9 and has not previously been registered as a domestic or foreign entity with the Oregon SOS.

10 3. As of July 26, 2012, National Mitigation is not currently and has not previously
11 been licensed with the Oregon Division of Finance and Corporate Securities (“Division”) to
12 conduct business as a “mortgage broker”, as that term is defined in ORS 86A.100(5)(a)(C), in
13 Oregon.

14 4. As of July 26, 2012, National Mitigation is not currently and has not previously
15 been registered with the Division to provide “debt management services”, as that term is
16 defined in ORS 697.602(2)(c), in Oregon.

17 5. On or about November 19, 2012, National Mitigation entered into an agreement
18 with Oregon consumer WP (“WP Agreement”) whereby National Mitigation, in exchange for
19 an advance fee of \$1,500, agreed to provide WP loan modification services on a mortgage
20 loan on residential real property located in Oregon.

21 6. Pursuant to the terms of the WP Agreement, WP paid National Mitigation through
22 three checks all payable to National Mitigation Corp in the amount of \$500 each as follows:
23 Check No. 3022 dated January 13, 2012; Check No. 3053 dated February 15, 2012; and
24 Check No. 3084 dated March 20, 2012.

25 **CONCLUSIONS OF LAW**

26 The Director concludes that:





1 and Oregon Debt Management Service Providers Laws and Rules.

2 15. Pursuant to these provisions, the Director hereby orders that National Mitigation
3 pay a civil penalty to the State of Oregon totaling \$10,000. The civil penalty is based upon
4 the following:

- 5 a. \$5,000 for violations of ORS 86A.103(1) and ORS 697.612(1)(a); and
- 6 b. \$5,000 for one violation of ORS 697.692(1).

7 16. The entry of this Order in no way further limits remedies that may be available
8 to the Director under Oregon Law.

9 Dated this 10th day of October, 2012.

10 PATRICK ALLEN, Director
11 Department of Consumer and Business Services

12 /s/ David Tatman
13 David C. Tatman, Administrator
14 Division of Finance and Corporate Securities

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