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

**BEFORE THE DIRECTOR OF THE DEPARTMENT  
OF CONSUMER AND BUSINESS SERVICES**

In the Matter of:  
  
Mortgage Mitigation Law Group, PLC,  
  
Respondent.

**Case No. DM-11-0069**  
  
**FINAL ORDER TO CEASE AND DESIST  
AND FINAL ORDER ASSESSING CIVIL  
PENALTY**

**ENTERED BY DEFAULT**

On July 22, 2011, the Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting pursuant its authority granted in Oregon Revised Statutes (“ORS”) 86A.100 *et seq.*, and Oregon Administrative Rules (“OAR”) 441-850-0005 through 441-885-0010 (collectively “Oregon Mortgage Lender Law”) and ORS 697.602 to 697.842 and OAR 441-910-0000 through 441-910-0120 (collectively “Oregon Debt Management Service Provider Law”) issued Administrative Order No. DM-11-0069 Order to Cease and Desist, Proposed Order Assessing Civil Penalty and Notice of Right to a Hearing.

On October 6, 2012, Respondent was served a true copy of the Order by certified and first class U.S. mail at 8421 Main Street, Lot 33, Mesa, AZ 85207.

Respondent has not made a written request for a contested case hearing on this matter and the time to make such request has expired.

**NOW THEREFORE**, the Director hereby issues the following Findings of Fact, Conclusions of Law, and Order.

Division of Finance and Corporate Securities  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387





1 **I. FINDINGS OF FACT**

2 The Director FINDS that:

3 **A. Respondent**

4 1. Mortgage Mitigation Law Group, PLC (“Respondent”) lists its address as 20928 N  
5 John Wayne Pkwy C-6 Maricopa, Arizona 85139.

6 2. Respondent is not a licensed mortgage banker, broker, or loan originator in Oregon  
7 and is not registered as a debt management service provider in Oregon.

8 3. Respondent has not obtained a unique identifier from the Nationwide Mortgage  
9 Licensing System and Registry.

10 **B. GSC transaction**

11 4. At all times relevant to this matter, the individual consumer identified herein as  
12 “GSC” was an Oregon resident. At all relevant times herein, GSC was a party to a home  
13 mortgage loan secured by real estate located in La Grande, Oregon.

14 5. On or about March 22, 2010, Respondent and GSC entered into a contract whereby  
15 Respondent agreed to negotiate a loan modification for a loan secured by residential real  
16 property located in La Grande, Oregon on behalf of GSC in exchange for valuable consideration.

17 6. In total, GSC paid \$2,500 to Respondent in two installments. On April 12, 2010,  
18 GSC paid Respondent \$1,250. On May 4, 2010, GSC paid an additional \$1,250 to Respondent.

19 7. On information and belief, Respondent has not conducted any substantive  
20 conversations with GSC’s mortgage lender that have resulted in a modification of GSC’s  
21 residential real estate loan.

22 **II. CONCLUSIONS OF LAW**

23 The Director CONCLUDES that:

24 1. Respondent acted as a “mortgage broker” as defined by ORS 86A.100(7)(a)(C) when  
25 they offered to negotiate the terms of GSC’s mortgage loan in exchange for compensation.

26 2. Respondent engaged in a “residential mortgage transaction in this state” as defined by



- 1 ORS 86A.103(2) when it offered to negotiate a home mortgage loan secured by real estate  
2 located in Oregon.
- 3 3. Respondent violated ORS 86A.103(1) when it engaged in a residential mortgage  
4 transaction in Oregon without first being licensed as either a mortgage banker or mortgage  
5 broker as described herein.
- 6 4. Respondent violated 86A.154(2) when it knowingly made an untrue statement of  
7 material fact by telling GSC that Respondent would attempt to negotiate GSC's residential real  
8 estate loan when in reality Respondent did not conduct any substantive conversations with  
9 GSC's mortgage lender that have resulted in a modification of GSC's residential real estate loan.
- 10 5. Respondent performed a "debt management service" as defined by ORS  
11 697.602(2)(c) when it offered to modify terms and conditions of an existing loan or obligation in  
12 exchange for compensation.
- 13 6. Respondent violated ORS 697.612(1)(a) when it performed a debt management  
14 service without first registering with the Director under ORS 697.632.
- 15 7. The \$2,500 fee collected by Respondent exceeded the amount permitted by ORS  
16 697.692(1).
- 17 8. Respondent violated ORS 697.662(7)(a) when it collected fees from GSC that  
18 exceeded the amounts permitted by ORS 697.692(1).
- 19 9. Respondent violated ORS 697.662(4) when it offered to perform a debt management  
20 service without evaluating, as part of the budget analysis the debt management service provider  
21 must perform under ORS 697.652(2), whether the debt management service is or would be  
22 advantageous to the consumer.
- 23 10. Respondent violated ORS 697.662(5) when it performed a debt management service  
24 without having a good faith belief formed after conducting an evaluation described in  
25 ORS 697.662(4) that the consumer can or will comply with the terms of the agreement described  
26 in ORS 697.652.

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**III. ORDER**

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDER:

*A. Cease and Desist Order*

1. The Director, pursuant to ORS 86A.127 and ORS 697.825, hereby ORDERS Respondent to CEASE AND DESIST from violating Oregon’s Mortgage Lender Law and Oregon’s Debt Management Service Providers Law.

*B. Order Assessing Civil Penalty*

1. The Director, pursuant to ORS 86A.992, and ORS 697.832, may assess CIVIL PENALTIES of up to \$5,000 per violation against persons who violate the Oregon Mortgage Lender Law and the Debt Management Service Providers Law. Pursuant to these provisions, the Director, hereby ORDERS Respondent to pay the State of Oregon a CIVIL PENALTY of \$20,000 calculated as follows: \$5,000 for unregistered and unlicensed loan modification activity in violation of ORS 86A.103(1) and ORS 697.612(1); \$5,000 for mortgage fraud in violation of ORS 86A.154(2); \$5,000 for collecting excessive fees in violation of ORS 697.692(1) and ORS 697.662(7)(a); and \$5,000 for offering to perform a debt management service without a good faith belief that it would actually be beneficial to the consumer in violation of ORS 697.662(4) and ORS 697.662(5).

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

IT IS SO ORDERED.

Dated this 25th day of January, 2013.

PARTICK ALLEN, Director  
Department of Consumer and Business Services

/s/ \_\_\_\_\_  
David C. Tatman, Administrator  
Division of Finance and Corporate Securities

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NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the service of this order.

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