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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:

DM-13-0112

Community One Law Center, P. A. and
Howard Feinmel;

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

Respondents.

On March 21, 2013, 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-13-0112 Order to Cease and Desist, Proposed Order Assessing Civil Penalty and Notice of Right to a Hearing (Notice Order).

On June 18, 2013, a certified true copy of the Notice Order was sent via certified and first class U. S. mail to Respondent Community One Law Center, P. A at 1499 West Palmetto Park Rd. Ste. 140, Boca Raton, FL. The certified mail return receipt was returned to the Division showing that Stacey Archer signed for the document on June 24, 2013.

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 On June 18, 2013, a certified true copy of the Notice Order was sent via certified
2 and first class U. S. mail to Respondent Howard Feinmel, Law Office of Howard
3 Feinmel PA at 1499 West Palmetto Park Rd. Ste. 140, Boca Raton, FL. The certified
4 mail return receipt was returned to the Division showing that Stacey Archer signed for
5 the document on June 24, 2013.

6 FINDINGS OF FACTS

7 The Director finds that:

8 1. At all times material to this Order, Community One Law Center, P. A.
9 (hereinafter "CO") has reported a principal place of business of 449 East Palmetto Park
10 Boulevard, Suite 209, Baco Raton, Florida 33432.

11 2. CO has never been registered with the Oregon Secretary of State to do business
12 in Oregon.

13 3. Neither CO nor Howard Feinmel (hereinafter "Feinmel") have ever held a license
14 to engage in residential mortgage transactions as a mortgage broker in Oregon and have
15 never been registered to provide debt management services in Oregon.

16 4. A search of Oregon State Bar records show that there is no Oregon licensed
17 attorney named Howard Feinmel.

18 5. At all times material to this Order, consumer "SM" was an Oregon resident and
19 was party to a home mortgage loan secured by real estate located in Oregon.

20 6. In the fall of 2009, SM received phone solicitations from CO in which
21 representatives of CO represented to SM that they could obtain a residential loan
22 modification for her.

23 7. On or about October 15, 2009, after receiving solicitations from CO, SM entered
24 into an agreement with attorney Howard Feinmel and Community One Law Center, P. A.
25 for a loan modification on her home.

26 //





1 8. In November and December of 2009, SM made payments totaling at least \$1,800
2 to CO in expectation of receiving a loan modification.

3 9. After she submitted her payments, SM worked with several different employees of
4 CO. She was assured that her loan modification was going smoothly.

5 10. Several times CO's phone was disconnected and SM would call attorney Howard
6 Feinmel regarding the loan modification process and Feinmel would have someone
7 contact SM.

8 11. In the fall of 2010, SM received notice from her mortgage company telling SM that
9 her home would be sold on September 20, 2010.

10 12. SM subsequently received a loan modification. Her lender reported that CO did
11 contact the lender for purposes of negotiating a loan modification on behalf of SM.

12 13. On August 20, 2012, Howard Feinmel, individual and as owner, officer and/or
13 agent of Community One Law Center, P. A., and or National Law Partners, P. A., entered
14 into a Consent Judgment with the State of Indiana for engaging in similar activities as
15 alleged above involving at least 15 Indiana consumers, Cause No. 64C01-1108-PL-8033.

16 **CONCLUSIONS OF LAW**

17 The Director concludes that:

18 1. CO and Feinmel acted as a "mortgage broker" under ORS 86A.100(5)(a)(C)
19 when CO and Feinmel, for compensation, or in the expectation of compensation, either
20 directly or indirectly made, negotiated, or offered to make or negotiate a modification to
21 the terms and conditions of a mortgage loan.

22 2. CO and Feinmel engaged in "residential mortgage transactions in this state"
23 under ORS 86A.103(2) by acting as a mortgage broker when CO and Feinmel offered
24 to negotiate a modification to the terms and conditions of SM's residential mortgage
25 loan secured by property located in Oregon.

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1 procures, aids or abets in the violation of any provision of ORS 86A.095 to 86A.198 or
2 any rule or order issued under ORS 86A.124 or 86A.242. Pursuant to the authority of
3 ORS 697.832, the Director may assess a civil penalty in an amount of not more than
4 \$5,000 per violation against any person who violates ORS 697.612 or 697.642 to
5 697.702, rules adopted under ORS 697.632, or any order issued under ORS 697.825.

- 6 a. Pursuant to ORS 86A.992(1) and 697.832, the Director hereby proposes
7 to order CO to pay a civil penalty in the amount of \$5,000 for the violation
8 of ORS 86A.103 (unlicensed mortgage broker)/ORS 697.612
9 (unregistered debt management service provider).
- 10 b. Pursuant to ORS 86A.992(1) and 697.832, the Director hereby proposes
11 to order Feinmel to pay a civil penalty in the amount of \$5,000 for the
12 violation of ORS 86A.103 (unlicensed mortgage broker)/ORS 697.612
13 (unregistered debt management service provider).
- 14 c. Pursuant to ORS 86A.224(3)(a) and 697.832, the Director hereby
15 proposes to order CO and Feinmel to pay a civil penalty, jointly and
16 severally, in the amount of \$5,000 for the violation of ORS 697.692
17 (unlawful DMSP fees).

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

20 Dated this 22nd day of August, 2013.

21
22 PATRICK M. ALLEN, Director
Department of Consumer and Business Services

23
24 /s/ David Tatman
25 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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