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: **Bexil American Mortgage, Inc.** **NMLS 839502** **Respondent.**	**M-14-0024** **Order to Cease and Desist, Order Assessing Civil Penalties 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 Bexil American Mortgage Inc. (Bexil) and determined that Bexil engaged in activities constituting a violation of 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter collectively cited as the "Oregon Mortgage Lender Law"); and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Bexil hereby **CONSENTS** to entry of this order upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter:

FINDINGS OF FACT

The Director finds that:

1. Bexil American Mortgage Inc. (Bexil) is a foreign corporation first incorporated in Delaware on September 16, 2011.

2. Bexil obtained an Oregon mortgage broker license from the Division of Finance and Corporate Securities (Division) on November 9, 2011, ML-5099.

3. Bexil's principal place of business is located at 10770 Wateridge Circle, Suite 250, San Diego, CA 92121.

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Labor and Industries Building
350 Winter Street NE, Suite 410
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4. The Oregon Mortgage Lender Law requires licensed mortgage bankers and mortgage brokers to file an annual report with the Division concerning their residential mortgage lending activity.

5. The deadline for filing the annual report for 2013 mortgage lending activity was March 31, 2014.

6. By January 17, 2014, the Division made public a website https://www4.cbs.state.or.us/exs/dfcs/mlrpt/index.cfm that licensees were to use to file their 2013 annual reports. The Division posted a link to that website from the Division's mortgage lending home page along with information on the annual report requirements.

7. The Division's mortgage lending home page also included a prominent notice about the requirement.

8. On January 17, 2014, the Division sent an e-mail to the e-mail address of record for Bexil, carol.carson@bexilamerican.com, notifying Bexil that they had not filed the 2013 annual report and the deadline was March 31, 2014.

9. On March 26, 2014, the Division sent Bexil a reminder e-mail to the company's e-mail address of record notifying them that the company had not yet filed the 2013annual report and that the deadline to do so was March 31, 2014.

10. On April 1, 2014, Bexil had not filed an annual report for 2013.

11. On April 1, 2014, the Division sent Bexil a warning letter to the address of record in NMLS notifying them that they are required to file the 2013 annual report for Oregon. The letter warned that if Bexil did not file by May 1, 2014, the matter would be referred for enforcement action and a civil penalty assessed.

12. On April 1, 2014, the Division also sent an email to Bexil notifying them of the missed deadline and warning them of the enforcement action and civil penalty for failure to file by May 1, 2014.

13. On July 8, 2014, Bexil has filed its annual report for 2013 activity.

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CONCLUSIONS OF LAW

The Director concludes that:

1. By failing to file the annual report for 2013 mortgage lending activity by March 31, 2014, Bexil violated ORS 86A.112(3) and OAR 441-865-0025.

ORDERS

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

The Director, pursuant to ORS 86A.127, hereby ORDERS Bexil to Cease and Desist from violating Oregon's Mortgage Lender Law.

The Director, pursuant to ORS 86A.992(2), may assess civil penalties of up to $100 per day each day the report is not filed. The Director, pursuant to ORS 86A.992(2), hereby orders:

Bexil shall pay a civil penalty of $1,000 for the violation of ORS 86A.112(3) and OAR 441-865-0025.

Dated this 13th day of August, 2014 at Salem, Oregon.

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

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

ENTITY CONSENT TO ENTRY OF ORDER

I, /s/Javier Jaraba state that I am an officer of Bexil and I am authorized to act on its behalf. I have read the foregoing order and that 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. Bexil voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter. Bexil understands that the Director reserves the right to take further actions to enforce this order or to take appropriate

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action upon discovery of other violations of the Oregon Mortgage Lender Law. Bexil will fully comply with the terms and conditions stated herein.

Bexil further assures the Director that neither Bexil, nor its officers, directors, employees, or agents will effect mortgage transactions in Oregon unless such activities are in full compliance with the Oregon Mortgage Lender Law. Bexil understands that this Consent Order is a public document.

Dated this 6 day of August 2014, at San Diego, California.

By Javier Jaraba
Office Held

ENTITY ACKNOWLEDGMENT

State of California)
)ss.
County of)

There appeared before me this 6th day of August, 2014, /s/ Javier Autro Jarbara who was first duly sworn on oath, and stated that (s)he was and is an officer of Bexil and that (s)he is authorized and empowered to sign this Consent to Entry of Order on behalf of Bexil and to bind Bexil to the terms hereof.

/s/ Cristain Antonio Munguia
Notary Public for the State of: California
My commission expires: 04/08/2017

Subscribed and sworn to (or affirmed) before me on this 6th day of August, 2014 by Javier Artuor Jaraba, provided to me on the basis of satisfactory evidence to be the person who appeared before me.

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