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: Plum Tree Mortgage Inc. NMLS # 116834 Respondent.	M-15-0119 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 Plum Tree Mortgage, Inc. (hereinafter "Plum Tree") and determined that Plum Tree engaged in an activity that constitutes 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 Plum Tree wishes to resolve and settle this matter with the Director,

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Plum Tree 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. Plum Tree is an Oregon corporation formed on July 16, 2004.

2. Plum Tree, NMLS #116834, obtained an Oregon mortgage broker/banker license from the Division of Finance and Corporate Securities (hereinafter the "Division") on July 28, 2004.

3. Plum Tree's principal place of business is located at 1126 NW Marshall Street Portland, Oregon 97209.

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

4. In 2011 the Nationwide Mortgage Licensing System (hereinafter "NMLS") released the mortgage call report (hereinafter "MCR") functionality. The MCR includes a licensed mortgage broker or banker's Residential Mortgage Loan Activity (hereinafter "RMLA") that is compiled and submitted by the company to NMLS on a quarterly basis, and for standard filers like Plum Tree, a financial condition report must be filed annually 90 days after the end of the company's fiscal year.

5. The quarterly reports are due 45 days following the end of each quarter such that the 2015 second quarter (hereinafter "Q2") MCR was due on August 14, 2015.

6. Plum Tree employed at least one licensed loan originator during the 2015 Q2.

7. Since Plum Tree had not filed the 2015 Q2 MCR with Oregon RMLA, on July 27, 2015, the Division sent an email to Plum Tree's email address of record notifying of the filing deadline. The email was sent to josh.nmls@plumtreemortgage.com which has been the email address of record for Plum Tree at all times relevant to this order.

8. The email was returned as undeliverable.

9. Since Plum Tree had not filed the 2015 Q2 MCR by the July 27, 2015 deadline, on August 15, 2015, NMLS automatically placed a deficiency on Plum Tree's license notifying of the obligation to file the 2015 Q2 MCR with Oregon RMLA.

10. On August 17, 2015, the Division sent an e-mail to Plum Tree's address of record notifying that it must file the 2015 Q2 MCR, and if it did not do so by September 17, 2015, the company would be fined $5,000.

11. Since this email was also returned as undeliverable, on August 17, the Division set a deficiency on Plum Tree's license notifying that the email address of record was not valid and a new email address needed to be provided.

12. Also on August 17, 2015, the Division sent a letter to Plum Tree's principal place of business notifying that the report had to be filed by September 17, 2015 or a fine would be

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assessed.

13. To date, Plum Tree has not amended its contact information since 2012, and the email address of record in NMLS remains invalid.

14. To date, Plum Tree has not filed the 2015 Q2 MCR including RMLA for Oregon in NMLS.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

1. By failing to file the 2015 Q2 MCR including RMLA for Oregon in NMLS by August 14, 2015, Plum Tree violated ORS 86A.239(2) and OAR 441-865-0025.

ORDERS

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

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

The Director, pursuant to ORS 86A.992, may assess civil penalties of up to $5,000 per violation of the Oregon Mortgage Lender Law. Pursuant to these provisions, the Director orders Plum Tree to pay a civil penalty of $1,000 for the violation of ORS 86A.239(2) and OAR 441-865-0025.

Payments of $84 are due on the 16th day of the month until the complete balance is paid. The first payment is due on by the close of business on Monday, November 16, 2015.

Dated this 24th day of November, 2015.

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

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

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ENTITY CONSENT TO ENTRY OF ORDER

I, Joshua Leake, state that I am an officer of Plum Tree, 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. Plum Tree voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter. Plum Tree understands that the Director reserves the right to take further actions to enforce this order or to take appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law. Plum Tree will fully comply with the terms and conditions stated herein.

Plum Tree further assures the Director that neither Plum Tree, 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. Plum Tree understands that this Consent Order is a public document.

Dated this 12th day of November, 2015.

By /s/ Joshua Leake

President
Office Held

ENTITY ACKNOWLEDGMENT

There appeared before me this 12 day of November 2015, Joshua Leake, who was first duly sworn on oath, and stated that (s)he was and is an officer of Plum Tree and that (s)he is authorized and empowered to sign this Consent to Entry of Order on behalf of Plum Tree and to bind Plum Tree to the terms hereof.

/s/ Rodion Nekrasov

Notary Public for the State of: Oregon
My commission expires: 06/05/2018

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