STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES
MORTGAGE LENDING SECTION

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF CONSUMER AND BUSINESS SERVICES

In the Matter of: Vina Investments, LLC NMLS# 287832 Respondent.	M-15-0117 FINAL ORDER CONDITIONING MORTGAGE BANKER/BROKER LICENSE, ORDER TO CEASE AND DESIST, 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 Vina Investments, LLC (hereinafter "Vina") and determined that Vina engaged in activities constituting violations of ORS 86A.100 et seq. and OAR 441-850-0005 through 441-885-0010 (hereinafter collectively cited as the "Oregon Mortgage Lender Law"); and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Vina 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. Vina is an Oregon Limited Liability Company with a principal place of business located at 2850 SE 82nd Ave, Suite 32E, Portland, Oregon 97266.

2. Thanh Huynh (hereinafter "Huynh") is the one hundred percent owner of Vina.

3. Vina originally received an Oregon mortgage banker/broker license from the Oregon Division of Finance and Corporate Securities (hereinafter "Division") on March 18, 2008,

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NMLS# 287832.

4. The Division issued a conditional mortgage banker/broker license to Vina on October 23, 2013 (case no. M-13-0125) for the company's failure to file timely and accurate required reports on three occasions (2012 fourth quarter, 2013 first quarter, 2013 second quarter). The order assessed a $3,000 civil penalty.

5. The conditions placed on the license require Vina to make timely and accurate filings of all required reports with the Division.

6. Vina's license was terminated - surrendered/cancelled on December 26, 2013.

7. Vina received a new conditional mortgage banker/broker license that carried over the same conditions assessed in case M-13-0125 on January 29, 2015 and is currently active.

8. The Division completed an examination of Vina on June 5, 2015.

9. The completed report detailing the exam findings was sent to Vina's address of record on June 15, 2015 with a cover letter requesting that the company provide a written response within two weeks of receipt of the report.

10. Since a response had not received a response, on July 7, 2015, the Division sent an email to Vina's email address of record in NMLS, thanhhuyn@aol.com, reminding that the response was due and extended the deadline to respond to July 21, 2015.

11. On August 11, 2015, the Division sent Vina a copy of the exam report noting that failure to file a response by September 11, 2015 would result in civil penalties.

12. To date, the Division has not received a response to the exam report from Vina.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

1. By failing to file a response to the Division's exam report by July 21, 2015, Vina violated ORS 86A.112(2) and ORS 86A.115(12), which is grounds to further condition Vina's license.

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ORDER

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

The Director, pursuant to ORS 86A.127, hereby orders Vina to Cease and Desist from violating the Oregon 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.

The Director, pursuant to ORS 86A.115, hereby ORDERS that, effective the date of this order, a conditional Oregon mortgage banker/broker license shall be issued to Vina until further order of the Director subject to renewal fee and document requirements. The conditional license shall be subject to the following conditions such that if Vina fails to comply, Vina agrees that the license shall be revoked immediately:

1. Vina shall make a timely and accurate filing of all financial reports or other information that the director by rule or order requires, including but not limited to the Mortgage Call Report, the annual report for mortgage lending activity, and a written response to the Division examination reports under ORS 86A.112(2).

2. Vina shall promptly correct a document filed with the director that is or becomes incomplete or inaccurate in any material respect under ORS 86A.112(2).

If Vina fails to achieve an examination score of at least a 3, a satisfactory score, Vina agrees to surrender its license within seven days following the issuance of the examination report. If Vina fails to surrender the license within those seven days, Vina consents to the Division revoking its mortgage banker/broker license.

Notwithstanding the foregoing, Vina may, following a period of five years wherein all Division required reports are timely filed, all required civil penalties and fines are timely paid, and no open or substantiated complaints made with the Division, make written application to the Director for an unconditional license.

The Director will review and act upon any application or request for licensing according

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to the current law, including any rights available to request a contested case hearing on any licensing or registration decision. This does not mean any request will be granted, but the request will be reviewed.

The entry of this Order in no way limits further remedies which may be available to the Director under Oregon law, including for the violations noted in the Conclusions of Law section above.

Dated this 12th day of December, 2015.

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, Thanh Huynh, state that I am an officer of Vina, 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. Vina voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter. Vina 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. Vina will fully comply with the terms and conditions stated herein.

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

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Dated this 30th day of November, 2015.

By /s/ Thanh Huynh

Mortgage Broker
Office Held

ENTITY ACKNOWLEDGMENT

There appeared before me this 30th day of November 2015, Thanh Huynh, who was first duly sworn on oath, and stated that (s)he was and is an officer of Vina and that (s)he is authorized and empowered to sign this Consent to Entry of Order on behalf of Vina and to bind Vina to the terms hereof.

/s/ Christopher R. Joanis

Notary Public for the State of: Oregon
My commission expires: July 14, 2017

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