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

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

8 In the Matter of:

DM-15-0025

9 Refurbish Credit Services, LLC and David J.
10 Studendorff,

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

11 Respondents.

12 On April 22, 2015, the Director of the Department of Consumer and Business Services
13 for the State of Oregon (hereinafter “the Director”), acting pursuant to the authority contained in
14 the Oregon Mortgage Lender Law, Oregon Revised Statutes (“ORS”) 86A.100 *et seq.*, and
15 Oregon Administrative Rules (“OAR”) 441-850-0005 through 441-885-0010 (hereinafter “the
16 Oregon Mortgage Lender Law”) and ORS 697.602 to 697.842 and OAR 441-910-0000 through
17 441-910-0120 (hereinafter “the Oregon Debt Management Service Provider law”), issued
18 Administrative Order No. DM-15-0025, (Order) Order to Cease and Desist, Proposed Order
19 Assessing Civil Penalties and Notice of Right to a Hearing Refurbish Credit Services LLC
(Refurbish) and David J. Studendorff (Studendorff).

20 On April 24, 2015, a true copy of the Order was mailed by regular, first-class mail and
21 by certified mail postage prepaid addressed to Refurbish Credit Services, LLC at 810 Loma
22 Linda Drive, Klamath Falls, OR 97601. The certified mail was returned by the United States
23 Post Office marked Return to Sender Unable to Forward.

24 On April 24, 2015, pursuant to ORS 60.731(3), a copy of the Order was hand delivered
25 to the Oregon Secretary of State at 255 Capitol Street NE, Salem, Oregon.
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1 On April 24, 2015, a true copy of the Order was mailed by regular, first-class mail and
2 by certified mail postage prepaid addressed to David J. Studendorff at 788 Thorne Dr. Apt.
3 301, Eugene, OR 97402. The return receipt requested document was returned by the United
4 States Post Office and indicated that on April 27, 2015 the Order to Studendorff was signed for
5 by Kelly Kern-Ciabt.

6 No request for hearing has been submitted to the Division and the time to do so has
7 past.

8 FINDINGS OF FACTS

9 The Director finds that:

10 1. At all times material to this Order, Refurbish Credit Services, LLC (Refurbish) reported
11 a principal place of business of 810 Loma Linda Drive, Klamath Falls, Oregon 97601.

12 2. Refurbish filed Articles of Organization with the Oregon Secretary of State to conduct
13 business in Oregon on March 24, 2010 but the company was administratively dissolved on June
14 1, 2012.

15 3. At all times material to this Order, David J. Studendorff (Studendorff) was a managing
16 member of Refurbish.

17 4. Neither Refurbish nor Studendorff have ever held a license to engage in residential
18 mortgage transactions as a mortgage broker in Oregon and have never been registered to
19 provide debt management services in Oregon.

20 5. Studendorff has never been licensed to act as a mortgage loan originator and Refurbish
21 has not sponsored any Oregon mortgage loan originator licenses.

22 6. On or about April 7, 2011, EL, a resident of Alabama was seeking a loan modification
23 on his residential property located in Alabama. He retained Refurbish to help him obtain the
24 loan modification and submitted \$499.00 to Refurbish for this purpose.

25 7. On or about January 17, 2012, EL sent a letter to Refurbish demanding that they send
26 him a full refund as no services had been provided.

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1 8. On or about January 30, 2012, Studendorff sent EL a letter along with refund of
2 \$499.00.

3 9. On or about October 3, 2011, the Director issued Order No. DM-11-0090, against
4 Networth Credit Services, LLC (Networth) a company in which Studendorff was the managing
5 member. Networth was also located at 810 Loma Linda Drive, Klamath Falls, Oregon 97601.

6 10. The 2011 Order was taken by default and involved similar violations as alleged herein
7 and the company was assessed \$60,000 in civil penalties which remain unpaid.

8
9 CONCLUSIONS OF LAW

10 The Director concludes that:

11 1. Respondents acted as a “mortgage broker” under ORS 86A.100(5)(a)(C) when they for
12 compensation, or in the expectation of compensation, either directly or indirectly made,
13 negotiated, or offered to make or negotiate a modification to the terms and conditions of a
14 mortgage loan for EL.

15 2. Respondents engaged in “residential mortgage transactions in this state” under ORS
16 86A.103(2) by acting as a mortgage broker when Respondents offered to negotiate a
17 modification to the terms and conditions of EL’s residential mortgage loan.

18 3. Respondents violated ORS 86A.103(1) by engaging in residential mortgage transactions
19 in Oregon without first obtaining a license as a mortgage broker under ORS 86A.095 to
20 86A.198.

21 4. Respondents engaged in debt management services when they received money from EL
22 for modifying or offering to modify the terms and conditions of an existing loan under ORS
23 697.602(2)(c).

24 5. Respondents violated ORS 697.612(1)(a) by performing a debt management service
25 without being registered with the Director to provide such a service.

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

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4 Dated this 21st day of May, 2015.

5
6 PATRICK M. ALLEN, Director
7 Department of Consumer and Business Services

8 /S/ David Tatman
9 David C. Tatman, Administrator
10 Division of Finance and Corporate Securities

11
12 NOTICE: You may be entitled to judicial review of this Order. Judicial review may be obtained
13 by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the service
14 of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court
15 of Appeals.

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Labor and Industries Building
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