

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

In the Matter of

Case No. DM-15-0100

NATIONAL SERVICING CENTER;  
EDUARDO BELLO aka EDUARDO  
VASQUEZ; VICTOR CORTEZ  
VILLASENOR; JAMES ABURTO aka  
JAIME ABURTO, and; JOSHUA SOTO,

FINAL ORDER TO CEASE AND  
DESIST, AND ASSESSING CIVIL  
PENALTIES AND RESTITUTION,  
ENTERED BY DEFAULT

Respondents.

On October 4, 2015, the Director of the State of Oregon, Department of Consumer and Business Services (the “*Director*”), acting under the authority of the Oregon statutes regulating debt management service providers, Oregon Revised Statutes (“*ORS*”) 697.602 to 697.842, the Oregon Mortgage Lender Law, ORS 86A.095 to 86A.198, the Oregon statutes regulating mortgage loan originators, ORS 86A.200 to 86A.239, and the administrative rules promulgated under such chapters, issued Administrative Order No. DM-15-0100, ORDER TO CEASE AND DESIST, PROPOSED ORDER ASSESSING CIVIL PENALTIES, PROPOSED ORDER OF RESTITUTION, AND NOTICE OF RIGHT TO AN ADMINISTRATIVE HEARING (the “*Notice Order*”) against Respondents National Servicing Center, Eduardo Bello, aka Eduardo Vasquez, Victor Cortez Villasenor, James Aburto, aka Jaime Aburto, and Joshua Soto (“*Respondents*”).

On October 6, 2015 the Notice Order was served on Respondents by certified United States Mail, postage prepaid, to the following addresses:

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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 A. National Servicing Center (the “*Company*”) to 2112 E. 4<sup>th</sup> St., Suite 230,  
2 Santa Ana, CA 92705 (Article No. 7014 2870 0001 3527 8586), 18685 Main  
3 St., Suite 101-445, Huntington Beach, CA 92648 (Article No. 7014 2870 0001  
4 3527 8593), and 1820 E. Garry Ave., Suite 215, Santa Ana, CA 92705  
5 (Article No. 7014 2870 0001 3527 8609) the purported business addresses of  
6 the Company;
- 7 B. Eduardo Bello, aka Eduardo Vasquez (“*Bello*”) to 2020 Huntington St., Apt.  
8 6, Huntington Beach, CA 92648 (Article No. 7014 2870 0001 3527 8616),  
9 2820 Huntington St., Apt. 6, Huntington Beach, CA 92648 (Article No. 7014  
10 2870 0001 3527 8623), and 2829 Huntington Dr., Apt. 6, Huntington Beach,  
11 CA 92648 (Article No. 7014 2870 0001 3527 8630), the most recent addresses  
12 identified for Bello;
- 13 C. Victor Cortez Villasenor (“*Villasenor*”) to 13331 Benton St., Garden Grove,  
14 CA 92843 (Article No. 7014 2870 0001 3527 8647), the most recent address  
15 identified for Villasenor;
- 16 D. James Aburto, also known as Jaime Aburto (“*Aburto*”) at 2112 E. 4<sup>th</sup> St.,  
17 Suite 210, Santa Ana, CA 92705 (Article No. 7014 2870 0001 3527 8654),  
18 and 18685 Main St., Suite 101-452, Huntington Beach, CA 92648 (Article  
19 No. 7014 2870 0001 3527 8487), the most recent addresses identified for  
20 Aburto; and
- 21 E. Joshua Soto (“*Soto*”) at 2031 E. 1<sup>st</sup> St., A1, Suite 14, Santa Ana, CA 92705  
22 (Article No. 7014 2870 0001 3527 8494), the most recent address identified  
23 for Soto.

24 On October 6, 2015, the Notice Order was also sent to Respondents by first class  
25 mail to the addresses noted above, and by electronic mail and facsimile, to the following  
26 addresses: (1) to the Company by electronic mail at info@nationalservicingcenter.net,



1 ecruz@nationalservicingcenter.net, and aromo@nationalservicingcenter.net; (2) to the  
2 Company by facsimile at (714) 442-2485, (714) 462-1247, (866) 314-1470, and (866)  
3 798-0379, and; (3) to Bello by electronic mail at bello.eddie@yahoo.com and  
4 bello.eddie@gmail.com.

5 On October 6, 2015, via hand delivery, the Oregon Department of Consumer and  
6 Business Services, Division of Finance and Corporate Securities (the “*Division*”) also  
7 served the Notice Order on the Oregon Secretary of State, Corporations Division,  
8 pursuant to ORS 60.731(2)(c) and (e), as the Company purports to operate out of offices  
9 located in California, and has been and/or is engaged in the unauthorized transaction of  
10 business in Oregon.

11 In accordance with OAR 137-003-0075, the Notice Order designated the file of  
12 the Division, including all materials submitted by Respondents, as the record for the  
13 purpose of making a prima facie case in the event that the Director entered a final order  
14 against Respondents by default.

15 Respondents did not timely or properly request a hearing.

16 Now, therefore, after consideration of the record, the Director issues the following  
17 Findings of Fact, Conclusions of Law, and Final Order.

### 18 **FINDINGS OF FACT**

19 The Director FINDS that:

- 20 1. At all times material to this order, the Company purported to operate out of  
21 offices located in Santa Ana and Huntington Beach, California.
- 22 2. Upon information and belief, Bello, Villasenor, Aburto, and Soto are  
23 California residents.
- 24 3. Upon information and belief, and at all times material to this order, Bello,  
25 Villasenor, Aburto, and Soto (collectively “*Bello, et al.*”) were and are owners and  
26



1 control persons of the Company, and engaged in business activities involving Oregon  
2 consumers and Oregon real property.

3 4. The Company is not currently and has not previously been registered with the  
4 Oregon Secretary of State to conduct business in Oregon.

5 5. None of the Respondents are or ever have been registered with the Division to  
6 provide “debt management services” in Oregon, as that term is defined in ORS  
7 697.602(2)(c).

8 6. At no time material to this matter did Respondents file a surety bond with the  
9 Director to engage in debt management services in Oregon.

10 7. Respondents are not and never have been licensed with the Division to engage  
11 in “residential mortgage transactions” as a “mortgage broker,” as those terms are defined  
12 in ORS 86A.100.

13 8. Bello, *et al.* are not and never have been licensed with the Division to engage  
14 in business as “mortgage loan originators,” as that term is defined in ORS 86A.200.

15 **I. The Solicitation**

16 9. In early 2014, Respondents delivered a written solicitation to Oregon  
17 residents, including, but not limited to, the consumers discussed below, via a mailing to  
18 their personal residences, wherein Respondents offered, for a fee, to negotiate a  
19 modification of the recipient’s residential mortgage loan with their lender, including, but  
20 not limited to, a reduction in the principal, interest, penalties or fees associated with the  
21 loan (the “*Solicitation*”).

22 10. The Solicitation stated that the offer to refinance the recipient’s loan would  
23 expire in 30 days, and included a phone number for the recipient to call, but did not  
24 disclose Respondents’ identity or provide a mailing address or any other contact  
25 information for Respondents.

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1 11. The Solicitation displayed an emblem or logo of an eagle with a flag or crest,  
2 thereby giving the appearance that the Solicitation was from or associated with a  
3 governmental agency or program.

4 **II. The Consumers**

5 **a. HB**

6 12. At all times material to this order, the consumer identified herein as “**HB**” was  
7 an Oregon resident and a party to a residential mortgage loan secured by real estate  
8 located in Springfield, Oregon.

9 13. In May 2014, HB signed an agreement with Respondents for modification of  
10 her mortgage loan, under the terms of which HB was to pay a fee of \$4,475 for  
11 “document preparation” with respect to the loan modification. Respondents represented  
12 in the agreement that, in exchange for the above-described fees, it would complete all  
13 work necessary to obtain a modification of HB’s residential mortgage loan by August  
14 2014. Respondents further represented in the agreement that HB would receive a full  
15 refund of fees if Respondents did not obtain a loan modification on her behalf.

16 14. HB made the following payments to Respondents in exchange for its loan  
17 modification services, for a total amount of \$4,475: \$800 on May 21, 2014; \$1,118.75 on  
18 May 24, 2014; \$318.75 on June 6, 2014; \$1,118.75 on July 24, 2014, and; \$1,118.75 on  
19 August 29, 2014.

20 15. HB confirmed with her lender that it was never contacted by Respondents  
21 regarding a loan modification.

22 16. Respondents were unsuccessful in obtaining a loan modification for HB.

23 17. HB made demand upon Respondents to refund the \$4,475 in fees that she paid  
24 to Respondents for the purpose of obtaining a loan modification. Respondents failed to  
25 provide such refund.

26 ///



1                   **b. RK & SK**

2           18.    At all times material to this order, the consumers identified herein as “**RK**”  
3 and “**SK**,” husband and wife, were Oregon residents and parties to a residential mortgage  
4 loan secured by real estate located in Springfield, Oregon.

5           19.    In May 2014, RK & SK entered into an agreement with Respondents for  
6 modification of their residential mortgage loan, under the terms of which RK and SK  
7 were required to pay a fee of \$4,995, plus convenience fees, for “document preparation”  
8 with respect to the loan modification.

9           20.    RK & SK made the following payments to Respondents in exchange for its  
10 loan modification services, for a total amount of \$5,295: \$1,323.75 on May 23, 2014;  
11 \$1,323.75 on June 24, 2014; \$1,323.75 on August 11, 2014, and; \$1,323.75 on August  
12 19, 2014.

13          21.    Respondents were unsuccessful in obtaining a loan modification for RK &  
14 SK.

15          22.    Following a demand made by the Division, Respondents refunded RK & SK  
16 the \$5,295 in fees paid to Respondents.

17                   **c. RW & DW**

18          23.    At all times material to this order, the consumers identified herein as “**RW**”  
19 and “**DW**,” husband and wife, were Oregon residents and parties to a residential  
20 mortgage loan secured by real estate located in Portland, Oregon.

21          24.    In May 2014, RW & DW entered into an agreement with Respondents for  
22 modification of their residential mortgage loan, under the terms of which RW & DW  
23 were required to pay a fee of \$2,975, plus convenience fees, for “document preparation”  
24 with respect to the loan modification.

25          25.    RW & DW made the following payments to Respondents in exchange for its  
26 loan modification services, for a total amount of \$3,375: \$1,125 on May 23, 2014; \$1,125



1 on June 23, 2014, and; \$1,125 on July 23, 2014.

2 26. Respondents were unsuccessful in obtaining a loan modification for RW &  
3 DW.

4 27. Following a demand made by the Division, Respondents refunded RW & DW  
5 the \$3,375 in fees paid to Respondents.

6 **d. JS**

7 28. At all times material to this order, the consumer identified herein as “**JS**” was  
8 an Oregon resident and a party to a residential mortgage loan secured by real estate  
9 located in Salem, Oregon.

10 29. JS received the Solicitation from Respondents. JS contacted Respondents  
11 using the phone number provided in the Solicitation, and was advised that Respondents  
12 could obtain a modification of her residential mortgage loan, resulting in a substantially  
13 reduced interest rate and monthly payment amount. Upon request, JS faxed Respondents  
14 copies of documents containing personal and confidential information, including her pay  
15 stubs, tax returns, mortgage statement, and other documents.

16 30. After sending such information, JS was told by a representative of  
17 Respondents that she would be required to pay up-front fees to Respondents, initially  
18 \$4,500 but then reduced to payments of \$900 for three months, in exchange for  
19 Respondents’ loan modification services.

20 31. When JS asked for information regarding Respondents’ address and place of  
21 business, the representative for Respondents became evasive and hung up the phone. JS  
22 determined the offer was a scam and did not pay Respondents any money.

23 **CONCLUSIONS OF LAW**

24 The Director concludes that:

25 32. Respondents performed “debt management services,” as that term is defined  
26 in ORS 697.602(2)(c) and (d), respectively, when Respondents:



1           A.    Offered to modify the terms and conditions of the existing loans or  
2 obligations of Oregon residents, including, but not limited to, HB, RK & SK,  
3 RW & DW, and JS (collectively the “*Consumers*”); and

4           B.    Attempted to obtain as an intermediary on the Consumers’ behalf a  
5 concession from a creditor including, but not limited to, a reduction in the  
6 principal, interest, penalties, or other fees associated with a debt.

7           33.   Respondents acted as “debt management service providers,” as defined in  
8 ORS 697.602(3) when they provided or performed, or represented that they would  
9 provide or perform, the above-described debt management services to the Consumers for  
10 an initial fee of more than \$50.00 each.

11           34.   Respondents were not exempt from the statutes regulating debt management  
12 service providers, ORS 697.602 to 697.842, because Respondents were not licensed as  
13 mortgage brokers under ORS 86A.095 to 86A.198, and Bello, *et al.* were not licensed as  
14 mortgage loan originators under ORS 86A.200 to 86A.239, at any time material to this  
15 Order.

16           35.   Respondents violated ORS 697.612(1) when Respondents offered and/or  
17 provided debt management services to the Consumers in exchange for money or other  
18 valuable consideration without first registering with the Division as debt management  
19 service providers.

20           36.   Respondents violated ORS 697.662(7)(a) when Respondents accepted and  
21 received unauthorized and excessive fees from the Oregon residents HB, RK & SK, RW  
22 & DW for the provision of debt management services, in violation of ORS 697.692.

23           37.   Respondents violated ORS 697.662(12)(a), (c) and (d)(A) and (B),  
24 respectively, when Respondents published and distributed, or caused to be published and  
25 distributed, the Solicitation which included material that:

26    ///





1 A. Contained false, misleading, or deceptive statements or representations  
2 regarding the status of the Consumers’ residential mortgage loans and the ability  
3 of Respondents to obtain a modification of such loans under the terms set forth in  
4 the Solicitation;

5 B. Displayed an emblem, logo or other sign or device that is similar to an  
6 emblem, logo, sign or device that a government agency provides, including but  
7 not limited to an eagle or crest; and

8 C. Misrepresented to the Consumers, directly or indirectly, the nature of the  
9 debt management services that Respondents would perform or the time within  
10 which Respondents would perform the services.

11 38. Respondents violated ORS 697.642 when Respondents provided debt  
12 management services without first filing with the Division a bond issued by one or more  
13 corporate sureties authorized to do business in Oregon.

14 39. Respondents acted as “mortgage brokers” under ORS 86A.100(5)(a)(C) when  
15 Respondents, for compensation or in the expectation of compensation, either directly or  
16 indirectly made, negotiated, or offered to make or negotiate a modification to the terms  
17 and conditions of the Consumers’ residential mortgage loans.

18 40. Respondents engaged in “residential mortgage transactions in this state”  
19 under ORS 86A.103(2) by acting as mortgage brokers when Respondents offered to  
20 negotiate a modification to the terms and conditions of the Consumers’ residential  
21 mortgage loans secured by property located in Oregon.

22 41. Respondents violated ORS 86A.103(1) by engaging in residential mortgage  
23 transactions in Oregon without first obtaining a mortgage broker license under ORS  
24 86A.095 to 86A.198.

25 42. Bello, *et al.* acted as “mortgage loan originators” under ORS  
26 86A.200(4)(a)(B) when Bello, *et al.*, for compensation, negotiated or offered to negotiate



1 the Consumers' residential mortgage loans.

2 43. Bello, *et al.* violated ORS 86A.203(1)(a) when Bello *et al.* engaged in  
3 business as mortgage loan originators in Oregon without first obtaining a mortgage loan  
4 originator's license under ORS 86A.212.

5 **ORDERS**

6 The Director ISSUES the following ORDERS:

7 *Order to Cease and Desist*

8 44. Pursuant to ORS 697.825(1)(a), ORS 86A.127(4), and ORS 86A.224(2), the  
9 Director hereby ORDERS Respondents, and all entities owned or controlled by  
10 Respondents, their successors and assignees, to CEASE AND DESIST from violating  
11 any provision of the Oregon statutes regulating debt management service providers, ORS  
12 697.602 to 697.842, the Oregon Mortgage Lender Law, ORS 86A.095 to 86A.198, the  
13 Oregon statutes regulating mortgage loan originators, ORS 86A.200 to 86A.239, or any  
14 administrative rule adopted by the Director under those statutes.

15 *Order Assessing Civil Penalties*

16 45. Pursuant to the authority of ORS 697.832(1), ORS 86A.992, and ORS  
17 86A.224(3), the Director may assess CIVIL PENALTIES against persons who violate the  
18 Oregon statutes regulating debt management service providers, ORS 697.602 to 697.842,  
19 the Oregon Mortgage Lender Law, ORS 86A.095 to 86A.198, or the Oregon statutes  
20 regulating mortgage loan originators, ORS 86A.200 to 86A.239, or any administrative  
21 rule adopted thereunder, in an amount not to exceed \$5,000.00 per violation.

22 46. The Director hereby assesses CIVIL PENALTIES against Respondents,  
23 jointly and severally, in the total amount of one hundred ten thousand dollars (\$110,000),  
24 as follows:

25 A. A CIVIL PENALTY of thirty thousand dollars (\$30,000.00) for  
26 performing debt management services, or soliciting the performance of debt



1 management services, to each of the six Consumers in exchange for money or  
2 other valuable consideration, without being registered as a debt management  
3 service provider or a mortgage broker, in violation of ORS 697.612(1) and ORS  
4 86A.103(1);

5 B. A CIVIL PENALTY of twenty-five thousand dollars (\$25,000.00) for  
6 accepting and receiving fees for the performance of debt management services in  
7 excess of those permitted under ORS 697.692 from Oregon residents HB, RK &  
8 SK, RW & DW, in violation of ORS 697.662(7)(a);

9 C. A CIVIL PENALTY of thirty thousand dollars (\$30,000.00) for  
10 Respondents' publication and distribution of a solicitation containing false,  
11 misleading, deceptive statements or representations, Respondents' display of an  
12 emblem, logo or other sign or device similar to that provided by a government  
13 agency, and/or Respondents' misrepresentation, directly or indirectly, regarding  
14 the nature of the debt management services that Respondents would perform or  
15 the time within which Respondents would perform the services, with respect to  
16 each of the six Consumers, in violation of ORS 697.662(12)(a), (c), and (d)(A)  
17 and (B), respectively.

18 D. A CIVIL PENALTY of twenty-five thousand dollars (\$25,000.00) for  
19 performing debt management services for Consumers HB, RK & SK, RW & DW  
20 without first filing with the Division a surety bond, in violation of ORS 697.642.

21 Order of Restitution

22 47. Pursuant to the authority of ORS 86A.224(2)(c), the Director may order a  
23 person that is subject to regulation under ORS 86A.200 to 86A.239 to pay  
24 RESTITUTION to a consumer that the Director finds suffered harm from the person's  
25 acts, practices or operations, or as a result of the person's violation of a provision of ORS  
26 86A.200 to 86A.239.

1 48. The Director hereby ORDERS that Bello, *et al.*, jointly and severally, pay  
2 restitution to the Consumer HB in the amount of four thousand four hundred seventy-five  
3 dollars (\$4,475).

4 **AUTHORITY OF THE DIRECTOR TO SEEK OTHER REMEDIES UNDER**  
5 **OREGON LAW**

6 49. This Order is a “Final Order” under ORS 183.310(6)(b). Subject to that  
7 provision, the entry of this Order does not limit other remedies, sanctions, or actions  
8 which may be available to the Director under Oregon law.

9  
10 IT IS SO ORDERED.

11 Dated this 27<sup>th</sup> day of October, 2015.

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

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

17  
18  
19 **NOTICE OF RIGHT TO APPEAL**

20 A person aggrieved by an Order of the Director of the Department of Consumer  
21 and Business Services which has been the subject of a timely application for a hearing  
22 before the director shall be entitled to judicial review of the order under ORS Chapter  
23 183. Pursuant to ORS 697.825(2)(d) and (e), and ORS 86A.139(2), a person who does  
24 not timely file a request for a hearing on an order is not entitled to judicial review.

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