STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: Peterson Funding LLC, Respondent.	Case No. M-16-0346 ORDER TO CEASE AND DESIST, FINAL ORDER ASSESSING CIVIL PENALTIES AND CONSENT TO ENTRY OF ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon ("Director") conducted an investigation of Peterson Funding LLC ("Respondent") and determined that Respondent engaged in activities constituting a violation of Oregon Revised Statutes ("ORS") 86A.100 et seq. and Oregon Administrative Rules ("OAR") 441-850-0005 through 441-885-0010 (hereinafter collectively cited as the "Oregon Mortgage Lender Law") and Respondent wishes to resolve and settle this matter with the Director.

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signature(s) subscribed on this Order, Applicant hereby CONSENTS to entry of this Order.

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

FINDINGS OF FACT

The Director FINDS that:

1. Peterson Funding LLC is a foreign limited liability corporation registered in Utah since September 28, 2011, with a principal place of business of 12180 S 300 E #40, Draper, UT 84020.

2. Peterson Funding LLC has been registered with the Oregon Secretary of State's office since May 24, 2016. Brent Peterson ("Peterson") is the only listed limited

liability corporation member.

3. Peterson Funding LLC has been licensed with the Division of Financial Regulation ("Division") to provide lending services secured by residential property in Oregon since May 27, 2016.

4. Peterson, NMLS ID #156879, is listed as a control person of Peterson Funding LLC. Peterson is not licensed and has never been licensed as a mortgage loan originator in Oregon.

5. On August 12, 2016, multiple employees of the Division received an email solicitation offering to refinance residential home loans from "PFundingLoans.gmail.com@bmail6.shb41.bmsend.com on behalf of Peterson Funding."

6. The email had a closing that stated "Thanks and shoot me a quick email if you want to lock that in. Brent, Peterson Funding, LLC (NMLS 845088), brentbrent@petersonfunding.com."

7. The email also stated that "Rates are for Oregon only."

8. Peterson was contacted by the Division regarding the email solicitation. Peterson stated that he was the individual who approved and initiated the emails being sent to residents of Oregon. Peterson also admitted that he was not licensed in the state of Oregon.

9. Approximately two weeks after the Division spoke to Peterson, employees of the Division received the same email from Peterson Funding LLC with the same closing identifying Brent Peterson.

10. Over 8900 Oregon residents received both email solicitations.

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CONCLUSIONS OF LAW

The Director CONCLUDES that:

11. Under ORS 86A.200(4)(b), a mortgage loan originator means an individual

who for compensation or gain, offers or negotiates terms for a residential mortgage loan.

12. Under ORS 86A.203(1)(a), an individual may not engage in business as a mortgage loan originator in this state without first obtaining and maintaining a mortgage loan originators license in Oregon.

13. OAR 441-860-0040(3)(a) requires that a mortgage broker or mortgage banker ensure that mortgage loan originators, and persons required to be licensed as mortgage loan originators, employed by the mortgage banker or mortgage broker obtain and maintain a license under ORS 86A.200 through 86A.242 and OAR chapter 441, division 880. Peterson Funding LLC failed to require that Peterson be licensed as a mortgage loan originator in Oregon prior to soliciting Oregon residents.

14. The Director, pursuant to ORS 86A.224(3) and 86A.992 may assess civil penalties of up to $5,000 per violation for each separate instance of violation, up to a maximum of $20,000 for a continuing violation.

ORDERS

Now therefore, the Director issues the following Orders:

15. The Director, pursuant to ORS 86A.127, hereby orders Respondent to cease and desist from violating Oregon's Mortgage Lender Law.

16. Based upon the foregoing and in accordance with ORS 86A.224(3) and 86A.992, the Director ORDERS a CIVIL PENALTY of $10,000 against Peterson Funding LLC for failing to require that Peterson be licensed as a mortgage loan originator in Oregon prior to soliciting Oregon residents.

17. The Director agrees to SUSPEND the collection of $9,000 of the $10,000 CIVIL PENALTY assessed herein upon the following conditions: 1) Brent Peterson as owner of Peterson Funding LLC will review ALL advertisements that are sent to Oregon residents, 2) Brent Peterson will be responsible for verifying that any sales materials only

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refer to mortgage loan originators licensed in the state of Oregon and the sales material is in compliance with Oregon law, 3) Jonathan Baird and Brent Peterson will complete 2 additional continuing education credits (beyond the amount required for renewal) that covers Oregon specific law to be completed by February 20, 2017 and 4) Peterson Funding LLC, Brent Peterson and Jonathan Baird commit no new violations of the Oregon Mortgage Lender Law or any administrative rules adopted thereunder.

18. If Respondent complies with all of the terms and conditions set out in this Order and commit no violations of the Oregon Mortgage Lender Law during the three (3) year period from the date of issuance of this Order, the Director hereby agrees to WAIVE the $9,000 suspended CIVIL PENALTY.

19. The Director reserves the right to immediately assess and collect the $9,000 suspended CIVIL PENALTY upon a determination that Peterson Funding LLC, Brent Peterson or Jonathan Baird has violated any term of this Order.

20. The remaining portion of the CIVIL PENALTY assessed against Respondent in the amount of $1,000 is due and payable to the Department of Consumer and Business Services at the time this Order is returned to the Division.

SO ORDERED this 14th day of December, 2016 in Salem, Oregon.

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

/s/ David Tatman
David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Brent Peterson, state that I am an officer of Peterson Funding LLC 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; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter. Peterson Funding LLC voluntarily consents to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order. Peterson Funding LLC 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 Oregon law. Peterson Funding LLC will fully comply with the terms and conditions stated herein.

Peterson Funding LLC understands that this Order is a public document.

/s/ Brent Peterson
Signature

PLM
Office Held

ENTITY ACKNOWLEDGMENT

State of Utah)
)
County of Salt Lake)

There appeared before me this 29 day of November, 2016, Brent Peterson, who was first duly sworn on oath, and stated that he was and is an officer of Peterson Funding LLC and that he is authorized and empowered to sign this Consent to Entry of Order on behalf of Peterson Funding LLC and to bind Peterson Funding LLC to the terms hereof.

/s/ Katie Pirraglio
Notary Public

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CONSENT TO ENTRY OF ORDER

I, Brent Peterson, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Brent Peterson

Signature

State of Utah

County of Salt Lake

Signed or attested before me on this 29 day of November, 2016 by Brent Peterson.

/s/ Katie Pirraglio

Notary Public

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CONSENT TO ENTRY OF ORDER

I, Jonathan Baird, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Mortgage Lender Law by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ Jonathan Baird

Signature

State of Utah

County of Salt Lake

Signed or attested before me on this 29 day of November, 2016 by Jonathan Baird.

/s/ Katie Pirraglio

Notary Public

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