

Spring 2022

Taking Action



Department of
Consumer and
Business Services



To protect consumers and promote a healthy business climate

Insurance



- **Laurynas Misevicius and Laurynas Misevicius Agency, [INS-21-0012](#)** – The division issued a cease-and-desist order and revoked the resident insurance producer licenses of Laurynas Misevicius and Laurynas Misevicius Agency for engaging in dishonest practices and demonstrating untrustworthiness in the conduct of business. Misevicius submitted false documents to obtain reimbursements for marketing events, kept reimbursements to which he was not entitled, and impersonated or allowed an employee to impersonate a client on the phone. In addition to the license revocation, the division fined Misevicius and his agency \$9,600.
- **TogetherHealth Insurance, LLC, [INS-21-0069](#)** – The division issued a cease-and-desist order and fined nonresident insurance agency TogetherHealth Insurance, LLC \$1,000 for providing incorrect or materially untrue information on one of its agent's insurance producer license applications. TogetherHealth filed two back-to-back applications for the producer and incorrectly answered a background question on one of those applications. The division directed TogetherHealth to review its application submission software and educate its employees regarding Oregon's license application requirements.
- **Jonesha Green, [INS-21-0064](#)** – The division issued a cease-and-desist order and revoked the insurance adjuster license of Jonesha Green for failing to respond to the division's inquiries regarding his insurance adjuster license application. Green disclosed a misdemeanor charge as part of his insurance adjuster application, and the division approved his application but required that Green provide information relating to the disposition of the charge within 30 days. Green failed to do so and failed to respond to requests for information from the division.
- **Jeff Morgan, [INS-21-0042](#)** – The division issued a cease-and-desist order and fined resident insurance producer Jeff Morgan \$1,000 for failing to timely respond to an inquiry from the division regarding a consumer complaint against Morgan, and failing to timely update his address and contact information on his licensing profile. The consumer complaint related to the policyholders' inability to reach Morgan for help with filing a claim.
- **Eric Oster, Jr., [INS-21-0038](#)** – The division issued a cease-and-desist order and revoked the nonresident insurance producer license of Eric Oster, Jr. for failing to timely pay the license fee for his nonresident insurance producer license application. Oster failed to respond to the division's attempts to collect the unpaid license fee. In addition to the license revocation, the division fined Oster \$500.
- **Kabir Leon, [INS-21-0039](#)** – The division issued a cease-and-desist order against Kabir Leon for failing to timely pay the license fee for his nonresident insurance producer license. The division allowed Leon to surrender his nonresident insurance producer license in Oregon in lieu of revocation.

Mortgage



- **Danny Yen d/b/a/ Real Estate Educational Services, M-22-0001** – The division issued an order to cease-and-desist and fined Danny Yen dba Real Estate Educational Services, Wendy Yen, and Dat Yen for perpetrating a mortgage education cheating scheme. Along with the division, the California Department of Financial Protection and Innovation and Maryland’s Office of the Commissioner of Financial Regulation entered into a joint settlement with the parties. The terms include a \$75,000 fine and a lifetime ban from offering mortgage education services. The Yen family also agreed to fully cooperate with the cases against the loan originators who participated in the scheme. Danny Yen took the courses and tests remotely on behalf of the MLOs who would then use the credit they fraudulently received to apply for, or renew, their licenses.
- **Isaiah Rodriguez, M-21-0066** – The division issued a cease-and-desist order and revoked the mortgage loan originator license of Isaiah Rodriguez for participating in a mortgage education cheating scheme. Oregon served as a member of the multistate taskforce, along with 41 other states, to investigate this scheme that was organized by Danny Yen, the owner of Real Estate Educational Services. Yen took the courses and tests remotely on behalf of the MLOs, including Rodriguez, who would then use the credit they fraudulently received to apply for, or renew their licenses.
- **AmRes Corporation, MA-21-0090** – The division issued a cease-and-desist order and fined AmRes Corporation \$20,000 for violations discovered during an examination, some of which were repeat violations discovered in an earlier examination that had not been remedied. AmRes entered into a marketing agreement with a realtor that ran afoul of prohibitions under the federal Real Estate Settlement Procedures Act (RESPA) against unearned fees and kickbacks. In addition, AmRes failed to complete timely criminal records checks for its mortgage loan originators, and failed to maintain complaint privacy policy notices issued to the borrowers.



Securities and nondepository

- **Emily L. Phillips and Randolph “Stuart” Phillips, S-19-0002** – The division issued a cease-and-desist order and fined Randolph “Stuart” Phillips and Emily L. Phillips \$55,000 for sales of unregistered securities, selling securities without a license, failing to timely file required reports regarding an Oregon Intrastate Offering of securities, making untrue statements of material fact and/or omitting to state material facts, in connection the sales of securities. The Phillips operated an ice cream business, Red Wagon Foods, Inc. and Eugene Artisan Foods, and raised over \$400,000 from investors to fund business operations. The business ceased operations in 2017. The Phillips failed to disclose material information to the investors, including prior business debts, unpaid taxes, the financial condition of the company, the lack of management experience, company profit information, and that investor funds would be used to repay prior investors. In addition to the fine, the order permanently bars the Phillips from being licensed as an Oregon securities or insurance professional, or holding any other license regulated by the division. The order also requires the Phillips to make partial restitution payments to some investors.
- **Jeremy W. Fortner, S-21-0062** – The division issued a cease-and-desist order and fined Jeremy W. Fortner \$20,000 for borrowing money from an Oregon consumer for whom he acted as a financial adviser, which constitutes an unethical business practice under Oregon law. Fortner solicited a \$25,000 loan from his client to purportedly fund a short-term real estate investment. Fortner failed to repay the loan, and following a complaint by the client and related investigation by Fortner’s employer, Fortner was terminated and his securities licenses expired. In addition to the fine, the division denied Fortner the use of exemptions to the registration requirements of the Oregon Securities Law.
- **Consumer Guardian Specialists LLC, dba Credit Shield, DM-21-0016** – The division issued a cease-and-desist order and fined Credit Shield \$100,000 for performing unregistered debt management services for 10 Oregon consumers, charging them excessive fees, and failing to provide required information in its contracts. Credit Shield purports to provide debt validation services that will eliminate a consumer’s debt. Credit Shield charged the Oregon consumers fees in





the amount of 35 percent of the debt they had enrolled in the program, for a total amount of over \$65,000.

- **DocuService LLC, DM-21-0053** – The division issued a cease-and-desist order and fined DocuService \$101,000 for performing unregistered debt management services in Oregon and charging excessive fees. DocuService purports to be a student loan document preparation company, helping borrowers prepare applications to the U.S. Department of Education for student loan repayment, consolidation, and forgiveness. As a result of the division’s investigation and enforcement action, the company agreed to fully refund the \$28,690 in fees it collected from Oregon consumers.
- **Icon Associates, LLC dba Aspen Associates, dba Aspen Associates, LLC, DM-21-0040** – The division issued a cease-and-desist order and fined Aspen Associates \$5,000 for performing unregistered debt management services for one Oregon consumer. Aspen Associates purports to provide debt validation

and dispute services that will eliminate a consumer’s debt.

- **Smart Housing, LLC and John Kuhlmann, MSD-21-0026** – The division issued a cease-and-desist order and fined John Kuhlmann and Smart Housing, LLC \$10,000 for unlicensed manufactured structure dealer activity and failure to comply with a subpoena. In May 2014, Kuhlmann surrendered his Oregon manufactured structure dealer license and agreed not to act as a manufactured structure dealer, not to apply for a MSD license, and not to work as a salesperson for a manufactured structure dealer. However, a division investigation revealed that in 2019 Kuhlmann, through Smart Housing, had sole at least one manufactured structure without a license.
- **Bayview Asset Group, LLC, CA-20-0011** – The division issued a cease-and-desist order and fined California-based collection agency Bayview Asset Group, LLC \$23,400 for engaging in unregistered collection activity against no less than 23 Oregon consumers. Bayview made several attempts to collect debts from Oregon consumers and destroyed many of the records associated with such collection efforts, thereby violating the books and records requirements for collection agencies.

