

# State of New Hampshire

State of New Hampshire  
Banking Department

Docket # 10-147

v.

Home Loan Relief Center, LLC,

Notice of Complaint,  
Order to Show Cause and Cease  
and Desist

Respondent

## Notice of Complaint, Order to Show Cause and Cease and Desist (“Order”)

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 397-A (including RSA 397-A:17, I & II; RSA 397-A:18, I & II, RSA 397-A:20, IV) and RSA Chapter 541-A.
2. The Commissioner has jurisdiction to assess penalties up to a maximum fine of \$2,500.00 for each violation. RSA 397-A:21, IV & V.

### Respondent(s)

3. Home Loan Relief Center, LLC (“Respondent”) is a limited liability company registered in California, with a principal address of 3350 E. Birch Street, Ste #204, Brea, CA 92821. Respondent Home Loan Relief is a Person. RSA 397-A:1, XVIII.
4. Respondent Home Loan Relief has never held a New Hampshire mortgage broker license with the New Hampshire Department of Banking (“Department”).

### Right to a Hearing

5. Respondent has the right to request a hearing of this Order. A hearing shall be held not later than ten (10) days after the Commissioner receives the Respondent’s written request for a hearing. The Respondent may request a hearing and waive the ten (10) day hearing

requirement. The hearing shall comply with RSA Chapter 541-A, RSA 397:17, I and II and RSA 397-A:18, II.

6. If any person fails to request a hearing within thirty (30) days of receiving this Order, then such person shall likewise be deemed in default, and the Order shall, on the thirty-first (31<sup>st</sup>) day, become permanent, all allegations may be deemed true, and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. RSA 397-A:17, I and II and RSA 397-A:18, II.
7. A default may result in administrative fines up to the maximum amount of \$2,500.00 as described in Paragraph 2 above.

#### **Statement of Alleged Facts**

8. On December 14, 2009, the New Hampshire Attorney General's Office forwarded the Department a complaint from Consumer A, a New Hampshire resident, regarding the Respondent's business activities within the State of New Hampshire. The complaint states that Respondent had been hired by Consumer A to complete a mortgage modification and Respondent failed to obtain a modification for Consumer A.
9. The Department's investigator discovered that Respondent solicited and/or engaged in business as a mortgage broker, with a New Hampshire consumer, without a New Hampshire Mortgage Broker license in violation of RSA 397-A:3, I.
10. Respondent required an advance payment from Consumer A of \$2,500.00 in violation of RSA 397-A:14, IV (m).
11. Consumer A requested a refund, which was not given in violation of RSA 397-A:14, IV (b).
12. On September 15, 2010, the Department mailed a certified letter to Respondent's principal office address requesting that it provide, within (10) days of receipt, a response regarding the alleged unlicensed activity, a New Hampshire transaction list, contact



## Order

### 13. I hereby find as follows:

- a. Pursuant to RSA 397-A:17, I, the facts as alleged above, if true, show Respondent is operating or have operated in violation of RSA Chapter 397-A and form the legal basis for this Order;
- b. Pursuant to RSA 397-A:20, VI, this Order is necessary and appropriate to the public interest and for the protection of consumers and consistent with the purpose of New Hampshire banking laws;
- c. Pursuant to RSA 397-A:17, II and RSA 397-A:18, II, reasonable cause exists to issue an order to cease and desist; and
- d. Pursuant to RSA 397-A:17, I and RSA 397-A:18, II, if Respondent fails to respond to this Order and/or default then all facts as alleged herein are deemed as true.

### 14. Accordingly, it is hereby ordered that:

- a. Respondent shall immediately Cease and Desist from violating RSA Chapter 397-A in the State of New Hampshire;
- b. Respondent shall provide to the Department, for the past one calendar year, a transaction list detailing name, date, address, and amount of each service and provide all consumer contracts involving New Hampshire consumers within thirty (30) days of the date of this Order;
- c. Respondent shall show cause why the commissioner should not enter an order of rescission, restitution, or disgorgement of profits;
- d. Respondent shall show cause why costs should not be recovered for investigation in the minimum amount of \$2,250.00;

