

1 State of New Hampshire Banking Department

2

3 In re the Matter of: ) Case No.: 08-027  
 )  
 4 State of New Hampshire Banking ) Consent Agreement  
 )  
 5 Department, )  
 )  
 6 Petitioner, )  
 )  
 7 and )  
 )  
 8 Homecomings Financial, LLC, )  
 )  
 9 Respondent )  
 )

---

10  
11 CONSENT AGREEMENT

12 I. For purposes of settling the above-referenced matter, among other  
13 things, the New Hampshire Banking Department (hereinafter referred to  
14 as "the Department") and Respondent Homecomings Financial, LLC  
15 (hereinafter referred to as "Respondent"), do hereby enter this  
16 Agreement and stipulate to the following:

- 17 1. Respondent Homecomings was licensed to conduct mortgage brokering  
18 in New Hampshire by the Department at the time this action was  
19 initiated.
- 20 2. The Department alleges Respondent committed various violations of  
21 Chapter 397-A and issued an Order to Show Cause why Respondent's  
22 license should not be revoked and why all Respondent should not  
23 be ordered to pay a fine.
- 24 3. Respondent were properly served with the Order in this case.
- 25 4. The Respondent does not admit that they have committed any  
violation of New Hampshire Banking Laws or Regulations but wish  
to avoid further formal process.

1 II. For purposes of amicably resolving and closing the above-referenced  
2 matters Respondent agrees to the following terms and conditions and the  
3 Department accepts the same:

- 4 1. Respondent agrees that it has voluntarily entered into this  
5 Agreement without reliance upon any discussions between the  
6 Department and Respondent, without promise of a benefit of any kind  
7 (other than concessions contained in this Agreement), and without  
8 threats, force, intimidation, or coercion of any kind. Respondent  
9 further acknowledges its understanding of the nature of the offenses  
10 stated above, including the penalties provided by law.
- 11 2. Respondent agree to waive any and all rights to a hearing and appeal  
12 thereof as to the license revocation proceedings.
- 13 3. Respondent agree that they will not deny the factual basis for this  
14 Agreement to which they have stipulated above and will not give  
15 conflicting statements about such facts or their involvement in the  
16 stipulated facts.
- 17 4. Respondent agrees that all terms of this Agreement are contractual  
18 and none is a mere recital.
- 19 5. Respondent agrees that an administrative penalty may be assessed in  
20 an amount not to exceed \$2,500.00. However, the Department agrees to  
21 assess a penalty in the amount of \$1,000.00 based on Respondent's  
22 compliance with the Order dated November 29, 2007.

23 This Agreement represents the complete and final resolution of, and discharge  
24 of any basis for any civil or administrative proceeding by the Department  
25 against the Respondent for violations arising as a result of or in connection  
with any actions or omissions by the Respondent through the date of this  
Order; provided, however, this release does not apply to facts not known by  
the Department or not otherwise provided by the Respondent to the Department  
as of the date of this Order nor to actions for Restitution under RSA 383:10-  
d. The Department expressly reserves its right to pursue any administrative  
or civil action or remedy available to it should the Respondent breach this  
Agreement or in the future violate the Act or rules and orders promulgated  
thereunder.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

WHEREFORE, based on the foregoing, we have set our hands to this Agreement,  
with it taking effect upon the signature of Peter C. Hildreth, Bank  
Commissioner.

Recommended this 6th day of March, 2008 by  
  /S/    
James Shepard, Staff Attorney, Banking Department

Executed this 28th day of February, 2008.

**Homecomings Financial, LLC**

  /S/    
By: Javid Jaberi  
Its: Senior Vice President

**SO ORDERED,**  
Entered this 10th day of March, 2008.

  /SRAF/    
Peter C. Hildreth,  
Bank Commissioner