# FILED

## BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT STATE OF OKLAHOMA

MAY 16 2019

STATE OF OKLAHOMA DEPARTMENT OF CONSUMER CREDIT

STATE OF OKLAHOMA ex rel. )
DEPARTMENT OF CONSUMER CREDIT,)
Petitioner )

Case No. 18-0004-DIS

AMERICAN FINANCIAL NETWORK,
INC.,
Respondent

v.

#### CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and Respondent, American Financial Network Inc., ("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

- (1) Petitioner restates and incorporates by reference the allegations made by the Petitioner in the Notice of Hearing filed in this matter.
  - a. Respondent is a foreign for profit business corporation under the jurisdiction of the State of California, Oklahoma Secretary of State filing number 2312463951, inactive filing status.
  - b. The licensing system of record for mortgage loan originators, mortgage lenders and mortgage brokers in the State of Oklahoma is NMLS.
  - c. Respondent is licensed as a mortgage lender in the State of Oklahoma pursuant to the SAFE Act with the following licensing information indicated by NMLS:
    - (i) Oklahoma license number ML011044, ML011683 and ML011712;

- (ii) NMLS unique identifier number/company ID 237341;
- (iii) Mailing address of record at 10 Pointe Drive, Ste. 330, Brea, CA 92821;
- d. On September 19, 2017 through September 20, 2017, Sarah Reynolds, a Consumer Credit Examiner, conducted an examination of Respondent at Respondent's business location at 10 Pointe Drive, Ste. 330, Brea, CA 92821. During the course of the examination, violations were found.
- e. Respondent was using the d/b/a name of Orion Lending to conduct business in Oklahoma; however, Orion Lending was not a licensed tradename in Oklahoma.
- f. Respondent had sponsored Mortgage Loan Originators that were using company names of "Parkmont Lending" and "Americash" on their business cards and emails that were being distributed to consumers; however, these entities were not licensed tradenames in Oklahoma.
- g. Respondent had loan documents that listed a loan originator that was not licensed in Oklahoma.
- h. Respondent failed to provide the examiner with accurate copies of original adverse action documents. The items were dated incorrectly and some forms were incomplete.
- i. Respondent's licensed Mortgage Loan Originators did not have unique identifiers on both their email and business cards.
- j. Respondent sent revised closing disclosures more than 60 days after consummation.
- (2) Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order, except that Respondent admits the facts necessary to establish the Department's jurisdiction over Respondent and the subject matter of this action.
- (3) Respondent agrees to pay a \$15,500.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before May 16, 2019.

- (4) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 18-0004-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56<sup>th</sup> Street, Suite 240, Oklahoma City, Oklahoma 73112.
- (5) A file stamped copy of this Consent Order will be returned to Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.
- (6) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 59 0 S. § 2095.17(c).



Administrator State of Oklahoma Department of Consumer Credit

Dated: 5-16-19

American Financial Network, Inc.

Dated: 5/9/2019

## VERIFICATION OF CONSENT ORDER, CASE NUMBER 18-0004-DIS

	STATE OF	)
	COUNTY OF	)
	Signed and sworn to (or af 2019, by ANDREW S. KALYVIARIS Inc.	firmed) before me on of American Financial Network
(	American Financial Network,	Lnc.
	(Seal, if any)	
		Notary Public
		My commission expires:

## **CALIFORNIA JURAT WITH AFFIANT STATEMENT**

## **GOVERNMENT CODE § 8202**

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□ See Attached Document (Notary to cross out lines 1–6 below) □ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)			
1			
2			
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6			
Signature of Document Signer No. 1	Signature of Document Signer No. 2 (if any)		
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.			
State of California	Subscribed and sworn to (or affirmed) before me		
County of OYANAV	on this H day of MAU, 20 19,		
	by Date Month Year		
O 2230733.M	(1) Andrew Kalyviaris		
Self Lotary Auglichan	(and (2)),		
	Name(s) of Signer(s)		
A CALIFOONIA	proved to me on the basis of satisfactory evidence to		
Confine Court St.	be the person(s) who appeared before me.		
THE WAY	Signature _		
Place Notary Seal and/or Stamp Above	signature of Notary Public		
OPTIONAL			
Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.			
Description of Attached Document			
Title or Type of Document:			
Document Date:	Number of Pages:		

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