

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 11-217
)
 3 State of New Hampshire Banking Department,)
)
 4 Petitioner,)
)
 5 and) Consent Order
)
 6 Central Mortgage Company (d/b/a Central)
)
 7 Mortgage Company, Inc.),)
)
 8 Respondent)
)

9 CONSENT ORDER

10 The State of New Hampshire Banking Department (the "Department") finds and
11 Orders as follows:

12 Respondent

- 13 1. Central Mortgage Company (d/b/a Central Mortgage Company, Inc.)
 14 ("CMC") is a corporation duly formed in the State of Arkansas on April
 15 4, 1997. CMC registered with the New Hampshire Secretary of State on
 16 October 21, 2011.
- 17 2. In New Hampshire, CMC had not been previously registered as a Mortgage
 18 Servicer or licensed as a Mortgage Broker by the Department. This
 19 Consent Order covers CMC's unregistered Mortgage Servicer activity.
 20 CMC's New Hampshire Mortgage Banker license with the Department is
 21 pending execution of this Consent Order regarding unregistered
 22 mortgage servicer activity and unlicensed mortgage broker activity.

23 Jurisdiction

- 24 3. The Department is authorized to regulate mortgage servicers pursuant
 25 to RSA Chapter 397-B. *RSA 397-B:2 and RSA 397-B:4.*

1 4. The Department is authorized to regulate mortgage brokers pursuant to
2 RSA Chapter 397-A. *RSA 397-A:2.*

3 5. The Commissioner has jurisdiction to issue orders to cease and desist
4 from violations under RSA Chapter 397-B and RSA Chapter 397-A and to
5 deny a registration or license of a registrant or licensee and/or
6 assess penalties pursuant to RSA Chapter 397-B and RSA Chapter 397-A.
7 *RSA 397-B:3, RSA 397-A:17, RSA 397-A:18 and RSA 397-A:21.*

8 **Facts**

9 6. CMC conducted mortgage servicer activity for at least three hundred
10 ninety-three (393) New Hampshire consumers without a valid New
11 Hampshire Mortgage Servicer registration issued by the Department. The
12 Fees charged and collected by CMC totaled \$95,081.17 for Consumers 1
13 through 393 as included in Exhibit A herein.

14 7. During the request for information, CMC cooperated and provided the
15 information to show CMC did conduct business in New Hampshire without
16 proper registration or licensure.

17 **Violation(s) of Law and Penalties**

18 8. CMC is a "Person" as defined by RSA 397-B:1,III and RSA 397-A:1,
19 XVIII.

20 9. CMC may be assessed an administrative fine not to exceed \$2,500.00 for
21 each violation of RSA Chapter 397-B and RSA Chapter 397-A. *RSA 397-*
22 *B:6,IV and V and RSA 397-A:21,IV and V.*

23 **Respondent's Consent**

24 10. CMC does not deny the facts, statements, or violations contained
25 herein and CMC hereby agrees to the entry of this Consent Order.

1 11. CMC has voluntarily entered into this Consent Order
2 without reliance upon any discussions between the Department and CMC,
3 without promise of a benefit of any kind (other than concessions
4 contained in this Consent Order), and without threats, force,
5 intimidation, or coercion of any kind. CMC further acknowledges its
6 understanding of the nature of the allegations set forth in this
7 action, including the potential penalties provided by law.

8 12. CMC hereby acknowledges, understands, and agrees that there is the
9 right to notice, hearing, and/or a civil action and hereby waives said
10 rights.

11 **Order**

12 13. **Whereas pursuant to RSA 397-B:3,VI and RSA 397-A:20,VI, finding this**
13 Consent Order necessary, appropriate and in the public interest and
14 consistent with the intent and purposes of New Hampshire banking laws,
15 the Department Orders as follows:

16 a. CMC shall reimburse Consumers 1 through 393 the fees charged as
17 described in Paragraph 6 above, payable contemporaneously with
18 CMC's signing of this Consent Order. Each checks shall be bank
19 check or guaranteed funds and be made out to the specific
20 consumer and submitted to the Department along with current
21 contact information to forward to the consumer;

22 b. CMC shall pay to the Department \$50,000.00 in administrative
23 penalties, payable contemporaneously with CMC's signing of this
24 Consent Order. The check shall be bank check or guaranteed funds
25 and made payable to "State of New Hampshire;" and

1 c. CMC agrees to cease and desist from conducting business with,
2 not advertise for, solicit or contract with New Hampshire
3 consumers for its services without obtaining a valid New
4 Hampshire Mortgage Banker license from the Department.

5 14. This Consent Order may be revoked and the Department may pursue any
6 and all remedies available under law, if the Department later finds
7 that CMC knowingly or willfully withheld information used and relied
8 upon in this Consent Order.

9 15. This Consent Order is binding on all heirs, assigns, and/or successors
10 in interest.

11 16. This Consent Order shall become effective upon the date the
12 Commissioner signs this Consent Order, providing the Department has
13 confirmed the receipt of payments referenced in Paragraphs 13.a. and
14 13.b. herein..

15 17. Once this Consent Order is effective, the Department agrees not to
16 seek further reimbursement, refunds, penalties, fines, costs, or fees
17 regarding the facts, allegations, or findings of violations contained
18 herein.

19 **WHEREFORE**, based on the foregoing, we have set our hands to this Consent
20 Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.

21
22 Recommended this 7th day of May, 2012 by

23 _____
24 /s/
25 Maryam Torben Desfosses, Hearings Examiner, Banking Department

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Executed this 4th day of May, 2012 by

/s/

William George Roehrenbeck, on behalf of Central Mortgage Company (d/b/a
Central Mortgage Company, Inc.)

SO ORDERED.

/s/
Ronald A. Wilbur
Bank Commissioner

Dated: 05/10/12

Exhibit A
Central Mortgage Company
Docket #11-217*

*Listed by Consumer # and Amount Owed to Consumer.

1						
2						
3						
4	1:\$2,463.79	67:\$443.33	133:\$165.00	199:\$70.34	265:\$33.39	331:\$10.00
5	2:\$2,186.66	68:\$435.12	134:\$160.20	200:\$70.00	266:\$32.72	332:\$7.82
6	3:\$2,157.57	69:\$417.62	135:\$160.00	201:\$68.97	267:\$32.02	333:\$5.00
7	4:\$2,100.54	70:\$410.32	136:\$155.00	202:\$68.51	268:\$31.41	334:\$5.00
8	5:\$2,098.54	71:\$408.15	137:\$153.33	203:\$66.49	269:\$31.11	335:\$5.00
9	6:\$1,911.97	72:\$403.70	138:\$152.46	204:\$65.81	270:\$31.09	336:\$5.00
10	7:\$1,786.23	73:\$366.02	139:\$150.60	205:\$65.44	271:\$30.34	337:\$5.00
11	8:\$1,748.12	74:\$365.20	140:\$150.00	206:\$65.00	272:\$30.00	338:\$5.00
12	9:\$1,676.25	75:\$365.15	141:\$148.29	207:\$65.00	273:\$30.00	339:\$5.00
13	10:\$1,674.00	76:\$362.85	142:\$145.00	208:\$64.05	274:\$30.00	340:\$5.00
14	11:\$1,649.83	77:\$362.35	143:\$142.04	209:\$61.89	275:\$30.00	341:\$5.00
15	12:\$1,523.59	78:\$359.80	144:\$140.44	210:\$61.04	276:\$29.99	342:\$5.00
16	13:\$1,513.06	79:\$351.14	145:\$140.00	211:\$60.76	277:\$29.25	343:\$5.00
17	14:\$1,472.92	80:\$350.79	146:\$140.00	212:\$60.36	278:\$28.08	344:\$5.00
18	15:\$1,450.81	81:\$345.18	147:\$140.00	213:\$60.00	279:\$25.13	345:\$5.00
19	16:\$1,383.54	82:\$333.94	148:\$139.92	214:\$60.00	280:\$25.00	346:\$5.00
20	17:\$1,302.68	83:\$330.34	149:\$133.68	215:\$58.68	281:\$25.00	347:\$5.00
21	18:\$1,293.78	84:\$328.22	150:\$132.69	216:\$56.77	282:\$25.00	348:\$5.00
22	19:\$1,264.80	85:\$320.30	151:\$130.13	217:\$55.38	283:\$25.00	349:\$5.00
23	20:\$1,219.26	86:\$316.96	152:\$130.04	218:\$55.02	284:\$24.77	350:\$5.00
24	21:\$1,050.52	87:\$310.08	153:\$130.00	219:\$55.00	285:\$24.50	351:\$5.00
25	22:\$1,044.40	88:\$305.48	154:\$129.75	220:\$55.00	286:\$23.81	352:\$5.00
	23:\$1,019.01	89:\$305.40	155:\$123.61	221:\$55.00	287:\$23.70	353:\$5.00
	24:\$979.80	90:\$302.92	156:\$115.00	222:\$54.77	288:\$21.75	354:\$5.00
	25:\$961.24	91:\$294.00	157:\$113.44	223:\$54.12	289:\$20.00	355:\$5.00
	26:\$958.99	92:\$265.72	158:\$110.44	224:\$53.82	290:\$20.00	356:\$5.00
	27:\$957.40	93:\$261.72	159:\$110.00	225:\$53.40	291:\$20.00	357:\$5.00
	28:\$944.38	94:\$260.00	160:\$106.86	226:\$50.31	292:\$20.00	358:\$5.00
	29:\$901.81	95:\$257.12	161:\$106.51	227:\$50.00	293:\$20.00	359:\$5.00
	30:\$878.82	96:\$256.25	162:\$106.33	228:\$50.00	294:\$20.00	360:\$5.00
	31:\$828.34	97:\$254.44	163:\$102.56	229:\$50.00	295:\$20.00	361:\$5.00
	32:\$802.01	98:\$252.00	164:\$101.82	230:\$50.00	296:\$20.00	362:\$5.00
	33:\$798.25	99:\$248.07	165:\$100.00	231:\$49.60	297:\$19.50	363:\$5.00
	34:\$793.32	100:\$245.58	166:\$100.00	232:\$48.29	298:\$19.50	364:\$5.00
	35:\$767.00	101:\$243.06	167:\$100.00	233:\$46.39	299:\$19.50	365:\$5.00
	36:\$725.92	102:\$242.34	168:\$100.00	234:\$46.32	300:\$19.50	366:\$5.00
	37:\$709.53	103:\$242.05	169:\$99.48	235:\$46.07	301:\$17.99	367:\$5.00
	38:\$706.24	104:\$237.68	170:\$98.96	236:\$45.66	302:\$15.00	368:\$5.00
	39:\$700.40	105:\$237.30	171:\$97.65	237:\$45.00	303:\$15.00	369:\$5.00
	40:\$686.46	106:\$230.90	172:\$96.62	238:\$45.00	304:\$15.00	370:\$5.00
	41:\$685.06	107:\$230.00	173:\$95.00	239:\$45.00	305:\$15.00	371:\$5.00
	42:\$662.55	108:\$228.28	174:\$89.28	240:\$45.00	306:\$15.00	372:\$5.00
	43:\$639.19	109:\$216.02	175:\$88.92	241:\$45.00	307:\$15.00	373:\$5.00
	44:\$632.83	110:\$210.00	176:\$88.90	242:\$45.00	308:\$15.00	374:\$5.00
	45:\$618.94	111:\$209.02	177:\$87.28	243:\$44.46	309:\$15.00	375:\$5.00
	46:\$618.72	112:\$205.68	178:\$85.00	244:\$44.02	310:\$13.42	376:\$5.00

1	47:\$613.60	113:\$205.00	179:\$84.48	245:\$43.88	311:\$10.00	377:\$5.00
	48:\$605.08	114:\$203.07	180:\$83.14	246:\$43.77	312:\$10.00	378:\$5.00
2	49:\$592.25	115:\$200.00	181:\$83.00	247:\$43.10	313:\$10.00	379:\$5.00
	50:\$577.70	116:\$198.47	182:\$82.85	248:\$41.91	314:\$10.00	380:\$5.00
3	51:\$570.78	117:\$193.24	183:\$81.78	249:\$41.88	315:\$10.00	381:\$5.00
	52:\$568.00	118:\$193.24	184:\$81.68	250:\$40.80	316:\$10.00	382:\$5.00
4	53:\$563.68	119:\$187.77	185:\$81.08	251:\$40.67	317:\$10.00	383:\$5.00
	54:\$558.90	120:\$185.18	186:\$81.04	252:\$40.00	318:\$10.00	384:\$5.00
5	55:\$550.86	121:\$185.00	187:\$80.74	253:\$40.00	319:\$10.00	385:\$5.00
	56:\$540.88	122:\$185.00	188:\$80.18	254:\$40.00	320:\$10.00	386:\$5.00
6	57:\$536.60	123:\$183.56	189:\$80.00	255:\$39.64	321:\$10.00	387:\$5.00
	58:\$511.92	124:\$180.55	190:\$80.00	256:\$39.19	322:\$10.00	388:\$5.00
7	59:\$498.61	125:\$179.15	191:\$78.49	257:\$39.00	323:\$10.00	389:\$5.00
	60:\$497.28	126:\$177.33	192:\$78.24	258:\$38.85	324:\$10.00	390:\$5.00
8	61:\$489.72	127:\$175.25	193:\$76.75	259:\$38.64	325:\$10.00	391:\$5.00
	62:\$472.43	128:\$175.00	194:\$75.00	260:\$38.59	326:\$10.00	392:\$4.95
9	63:\$470.16	129:\$167.88	195:\$72.78	261:\$38.13	327:\$10.00	393:\$1.03
	64:\$458.24	130:\$167.61	196:\$71.70	262:\$36.95	328:\$10.00	
10	65:\$457.40	131:\$167.61	197:\$71.01	263:\$35.00	329:\$10.00	
	66:\$454.18	132:\$166.72	198:\$70.97	264:\$35.00	330:\$10.00	

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