

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 10-004
)
 3 State of New Hampshire Banking Department,)
)
 4 Petitioner,)
)
 5 and) Consent Order as to Patricia
) Ellis, Esquire Only
 6 Dargon Law Firm, P.L.L.C. (a/k/a)
)
 7 Dargonlaw.com), Daniel Paul Dargon, Esquire,))
)
 8 et al.)
)
 9 and)
)
 10 Patricia Ellis, Esquire,)
)
 11 Respondents)
)

12 CONSENT ORDER

13 1. Pursuant to the authority granted under RSA Chapter 397-A (RSA 397-A:17
14 and RSA 397-A:20, IV and VI) and RSA 541-A, the State of New Hampshire
15 Banking Department ("the Department") finds and orders as follows:

16 Respondents

17 2. Dargon Law Firm P.L.L.C. (a/k/a www.dargonlaw.com) was a business with
18 a principal business address in Concord, New Hampshire.

19 3. Daniel Paul Dargon, Esq. had the same principal business address.
20 Dargon Law Firm P.L.L.C. and Daniel Paul Dargon, Esq. are collectively
21 called Respondent "Dargon".

22 4. Patricia Ellis, Esq. ("Respondent Ellis") is an individual with an
23 address in Exeter, New Hampshire. Respondent Ellis is a Person (RSA
24 397-A: 1, XVIII).

25 5. Respondent Ellis has acted as a mortgage loan originator in New

1 Hampshire and for New Hampshire consumers.

2 6. Respondent Ellis has never held a valid New Hampshire Mortgage
3 Originator license.

4 **Jurisdiction**

5 7. The Department is authorized to regulate and license Mortgage Loan
6 Originators. RSA 397-A:1, XVII defines an "originator" or "mortgage
7 loan originator" as, *inter alia*, an individual who for direct or
8 indirect compensation or gain offers, negotiates, solicits, arranges,
9 or finds a mortgage loan or who assists a consumer in obtaining or
10 applying to obtain a mortgage loan.

11 8. The Department has jurisdiction to revoke, deny or suspend a license of
12 a licensee and/or assess fines, penalties and costs pursuant to RSA
13 Chapter 397-A. RSA 397-A:17 and RSA 397-A:21.

14 **Statement of Facts**

15 9. The term "this matter" shall refer to Respondent's unlicensed loan
16 origination activity in the State of New Hampshire, which is detailed
17 in the Amended Order to Show Cause dated October 21, 2010.

18 10. Respondent Ellis was not licensed with the Department or with NMLS as
19 a mortgage loan originator during the period referenced in this matter.

20 11. Without constituting an admission by the above named Respondent Ellis
21 of any allegations made or implied by this matter, and solely for the
22 purpose of settlement of this matter, Respondent Ellis stipulates she
23 originated New Hampshire loans without a mortgage loan originator's
24 license consistent with the facts as described in Paragraph 30 of the
25 Amended Order to Show Cause dated October 21, 2010.

1 12. There are no other enforcement actions against Respondent Ellis
2 pending with the Department.

3 13. There are no complaints against Respondent Ellis pending with the
4 Department.

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

6 14. Respondent Ellis could be assessed an administrative fine not to
7 exceed \$2,500.00 for each count found in violation of RSA Chapter 397-A
8 pursuant to RSA 397-A:21, IV and V.

9 15. Mitigating factors include but are not limited to the fact that
10 Respondent Ellis has cooperated with the Department, and Respondent
11 Ellis voluntarily agrees to no longer conduct mortgage modifications
12 without applicable licensure.

13 **Respondent Ellis's Consent**

14 16. Respondent Ellis admits to mortgage loan modification activity,
15 without a New Hampshire Mortgage Loan Originator license, consistent
16 with the facts as alleged in Paragraph 30 of the Amended Order to Show
17 Cause dated October 21, 2010 and hereby agrees to the entry of this
18 Consent Order.

19 17. Respondent Ellis agrees that she voluntarily, and without threats,
20 intimidation, or coercion of any kind, enters into this Consent Order.

21 18. Respondent Ellis agrees that this Consent Order represents the entire
22 consent, and there are no other discussions, promises, or benefits
23 being made or offered.

24 19. Respondent Ellis hereby acknowledges, understands, and agrees that she
25 has the right to notice, hearing, and/or a civil action and hereby

1 25. Upon the effective date of this Consent Order, the Department shall
2 not seek reimbursement, refunds, penalties, fines, costs, or fees from
3 Ellis regarding the facts, allegations or findings set forth in the
4 Amended Order to Show Cause dated October 21, 2010. This Consent Order
5 represents the resolution of and discharge of any basis for any civil
6 or administrative proceeding by the Department against Respondent Ellis
7 for violations enumerated in this action only; provided, however, this
8 release does not apply to facts not known by the Department or not
9 otherwise provided by Respondent Ellis to the Department as of the date
10 of this Consent Order nor to actions for restitution under RSA 383:10-
11 d. Such facts would include, but not be limited to, any consumer harm
12 from Respondent Ellis' actions. The Department expressly reserves its
13 right to pursue any administrative, civil or criminal action or remedy
14 available to it should Respondent Ellis breach this Consent Order or in
15 the future violate the Act or rules and orders promulgated thereunder.

16 **WHEREFORE,** based on the foregoing, we have set our hands to this Consent
17 Order, with it taking effect upon the signature of Ronald A. Wilbur, Bank
18 Commissioner.

19 Entered this day December 16, 2011.

20
21 _____
/s/

22 Patricia Ellis, Esq.

23 **SO ORDERED,**

24 Entered this day January 4, 2011.

25 _____
/s/

Ronald A. Wilbur
Bank Commissioner