

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 10-009
))
3 State of New Hampshire Banking Department,)
))
4 Petitioner,)
))
5 and)
))
6 Mortgage Mitigators (a division of and d/b/a) Consent Order
))
7 for Envisage Enterprises Corp. [a/k/a)
))
8 Envisage Enterprises Inc.], a/k/a)
))
9 www.mortgagemitigators.net, and an affiliate)
))
10 of Sanford Consulting Services and Financial)
))
11 Solutions Advisors, LLC Mortgage)
))
12 Modification & Debt Settlement), and Andrew)
))
13 Cappello,)
))
14 Respondents)
))

15 CONSENT ORDER

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

18 Respondents

19 1. Mortgage Mitigators (a division of and d/b/a for Envisage Enterprises
20 Corp. [a/k/a Envisage Enterprises Inc.], a/k/a
21 www.mortgagemitigators.net, and an affiliate of Sanford Consulting
22 Services and Financial Solutions Advisors, LLC Mortgage Modification &
23 Debt Settlement) ("Mortgage Mitigators") is not incorporated. Envisage
24 Enterprises Inc was a corporation duly formed in the State of Florida
25 on May 15, 2009 with its principal office location in Fort Lauderdale,

1 Florida. Envisage Enterprises Inc was voluntarily dissolved on
2 December 10, 2009. Neither Mortgage Mitigators nor Envisage
3 Enterprises Inc is registered with the New Hampshire Secretary of
4 State and has never been licensed as a Mortgage Broker or Mortgage
5 Loan Originator by the Department.

6 2. Andrew Cappello ("Cappello") is the owner of Mortgage Mitigators.
7 Cappello has never been licensed by the Department as a New Hampshire
8 Mortgage Loan Originator or a Mortgage Broker.

9 3. The above named Respondents are hereby collectively known as
10 "Respondents."

11 4. Neither Respondent wishes to become licensed in the State of New
12 Hampshire as a Mortgage Broker or Mortgage Loan Originator.

13 **Jurisdiction**

14 3. The Department is authorized to regulate mortgage brokers and mortgage
15 loan originators pursuant to RSA Chapter 397-A. *RSA 397-A:2 and RSA*
16 *397-A:3.*

17 4. The Commissioner has jurisdiction to issue orders to cease and desist
18 from violations under RSA Chapter 397-A and to assess penalties
19 pursuant to RSA Chapter 397-A. *RSA 397-A:17, RSA 397-A:18 and RSA*
20 *397-A:21.*

21 **Facts**

22 5. In 2009, Respondents conducted mortgage broker and mortgage loan
23 originator activity for at least eleven (11) New Hampshire consumers
24 without a valid Mortgage Broker or Mortgage Loan Originator license
25 issued by the Department.

1 6. During the request for information, Respondents cooperated and
2 provided the information to show they did conduct business in New
3 Hampshire without proper licensure.

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

5 7. Respondents are "Persons" as defined by RSA 397-A:1, XVIII.

6 8. Respondents may be assessed an administrative fine not to exceed
7 \$2,500.00 for each violation of RSA Chapter 397-A. RSA 397-A:21, IV and
8 V.

9 **Respondents' Consent**

10 9. Respondents hereby acknowledge that were an administrative hearing to
11 be held in this matter, the Department would introduce evidence it
12 contends would demonstrate that Respondents conducted unlicensed
13 Mortgage Broker and Mortgage Loan Originator activity in New
14 Hampshire.

15 10. Respondents have voluntarily entered into this Consent Order without
16 reliance upon any discussions between the Department and Respondents,
17 without promise of a benefit of any kind (other than concessions
18 contained in this Consent Order), and without threats, force,
19 intimidation, or coercion of any kind. Respondents further acknowledge
20 their understanding of the nature of the allegations set forth in this
21 action, including the potential penalties provided by law.

22 11. Respondents hereby acknowledge, understand, and agree that they have
23 the right to notice, hearing, and/or a civil action and hereby waive
24 said rights.

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

3
4 Recommended 11th day of May, 2012 by

5 _____
6 /s/

7
8 Maryam Torben Desfosses, Hearings Examiner, Banking Department

9
10 Executed 24th day of May, 2012 by

11 _____
12 /s/

13 Andrew Cappello for and on behalf of himself and Mortgage Mitigators (a
14 division of and d/b/a for Envisage Enterprises Corp. [a/k/a Envisage
15 Enterprises Inc.], a/k/a www.mortgagemitigators.net, and an affiliate of
16 Sanford Consulting Services and Financial Solutions Advisors, LLC Mortgage
17 Modification & Debt Settlement)

18 **SO ORDERED.**

19 _____
20 /s/

21
22 Ronald A. Wilbur,
23 Bank Commissioner

24 Dated: 6/1/12