

1 In re the Matter of:) Case No.: 10-197
)
 2 State of New Hampshire Banking Department,)
)
 3 Petitioner,)
)
 4 and) Order to Show Cause and
) Cease and Desist
 5 Nationwide Financial Solutions (d/b/a)
)
 6 nationwidefinancialhelp.com and d/b/a)
)
 7 Nationwide Financial Solutions, LLC),)
)
 8 Nationwide Financial Group, LLC (d/b/a)
)
 9 nationwidefinancialhelp.com and d/b/a)
)
 10 loandocprep.com), Stephen Bloom, The Pinnacle)
)
 11 Law Center, P.A., Juan Ruiz, and [REDACTED],)
)
 12 Respondents)

13 NOTICE OF ORDER TO SHOW CAUSE AND CEASE AND DESIST ("ORDER")

14 1. This Order commences an adjudicative proceeding under the provisions
 15 of RSA Chapter 397-A (including RSA 397-A:17,I and II, RSA 397-A:18,I and
 16 II, and RSA 397-A:20,IV) and RSA Chapter 541-A.

17 2. The Commissioner may impose administrative penalties of up to
 18 \$2,500.00 for each violation. RSA 397-A:21,IV and V.

19 RESPONDENTS

20 3. Nationwide Financial Solutions (d/b/a nationwidefinancialhelp.com and
 21 d/b/a Nationwide Financial Solutions, LLC) ("Respondent NFS") appears to be
 22 limited liability company duly incorporated in the State of Florida on
 23 January 6, 2009, where it was located first at 3930 Coral Ridge Drive in
 24 Coral Springs, Florida and then as of December 2010, at 1440 Coral Ridge
 25 with the same principal office location in Coral Springs, Florida.

1 Respondent NFS is a "Person." RSA 397-A:1,XVIII.

2 4. The National Mortgage Licensing System & Registry ("NMLS") does not
3 indicate that Respondent NFS has ever held a license as a mortgage broker.
4 The New Hampshire Banking Department's ("Department") records do not
5 indicate that Respondent NFS has ever held a New Hampshire Mortgage Broker
6 license.

7 5. Nationwide Financial Group, LLC (d/b/a nationwidefinancialhelp.com and
8 d/b/a loandocprep.com) ("Respondent NFG") appears to be limited liability
9 company duly incorporated in the State of Florida on January 16, 2008, with
10 the same principal office location at 3948 Coral Ridge Drive in Coral
11 Springs, Florida. Respondent NFG is listed as the registrant for
12 nationwidefinancialhelp.com and may be the owner of Respondent NFS.
13 Loandocprep.com's website indicates it is Nationwide Financial Group with an
14 address of 3948 Coral Ridge Drive in Coral Springs, Florida. Respondent NFG
15 is a Direct Owner (RSA 397-A:1,VI-a), a Control person (RSA 397-A:21,V-a), a
16 Principal (RSA 397-A:1,XIX) and a Person (RSA 397-A:1,XVIII).

17 6. NMLS does not indicate that Respondent NFG has ever held a license as
18 a mortgage broker. The New Hampshire Banking Department's ("Department")
19 records do not indicate that Respondent NFG has ever held a New Hampshire
20 Mortgage Broker license.

21 7. Stephen Bloom ("Respondent Bloom") is listed with the Florida
22 Secretary of State as the Managing Member of Respondent NFS. NMLS does not
23 indicate that Respondent Bloom has ever held a license as a mortgage broker
24 or mortgage loan originator. The Department's records do not indicate that
25 Respondent Bloom has ever held a New Hampshire mortgage broker or mortgage

1 loan originator license. Respondent Bloom is a Direct Owner (RSA 397-A:1,VI-
2 a), a Control person (RSA 397-A:21,V-a), a Principal (RSA 397-A:1,XIX) and a
3 Person (RSA 397-A:1,XVIII).

4 8. The Pinnacle Law Center, P.A. ("Respondent Pinnacle") is the Managing
5 Member of Respondent NFG. Respondent Pinnacle is registered with the Florida
6 Secretary of State on April 26, 2010 with a principal office location of
7 3930 Coral Ridge Drive in Coral Springs, Florida and a Managing Member
8 address of 3471 N Federal Highway in Fort Lauderdale, Florida. NMLS does not
9 indicate that Respondent Pinnacle has ever held a license as a mortgage
10 broker. The Department's records do not indicate that Respondent Pinnacle
11 has ever held a New Hampshire mortgage broker license. Respondent Pinnacle
12 is a Direct Owner (RSA 397-A:1,VI-a), a Control person (RSA 397-A:21,V-a), a
13 Principal (RSA 397-A:1,XIX) and a Person (RSA 397-A:1,XVIII).

14 9. Juan Ruiz ("Respondent Ruiz") is the Managing Member of Respondent NFG
15 and Respondent Pinnacle. NMLS does not indicate that Respondent Ruiz has
16 ever held a license as a mortgage broker or mortgage loan originator. The
17 Department's records do not indicate that Respondent Ruiz has ever held a
18 New Hampshire mortgage broker or mortgage loan originator license.
19 Respondent Ruiz has been a licensed Florida attorney since September 23,
20 2005. Respondent Ruiz is a Direct Owner (RSA 397-A:1,VI-a), an Indirect
21 Owner (RSA 397-A:1,VIII-a), a Control person (RSA 397-A:21,V-a), a Principal
22 (RSA 397-A:1,XIX), a Person (RSA 397-A:1,XVIII) and a Mortgage Loan
23 Originator (RSA 397-A:1,XVII).

24 10. [REDACTED] ("Respondent [REDACTED]") was the Managing Member of
25 Respondent NFG. NMLS does not indicate that Respondent [REDACTED] has ever held

1 a license as a mortgage broker or mortgage loan originator. The Department's
2 records do not indicate that Respondent [REDACTED] has ever held a New
3 Hampshire mortgage broker or mortgage loan originator license. Respondent
4 [REDACTED] is a Direct Owner (RSA 397-A:1,VI-a), a Control person (RSA 397-
5 A:21,V-a), a Principal (RSA 397-A:1,XIX) and a Person (RSA 397-A:1,XVIII).

6 11. The above-named Respondents are hereinafter collectively known as
7 "Respondents".

8 **RIGHT TO REQUEST A HEARING**

9 12. Respondents have a right to request a hearing on this Order. A hearing
10 shall be held not later than ten (10) days after the Commissioner receives
11 the Respondent's written request for a hearing. Respondents may request a
12 hearing and waive the ten (10) day hearing requirement. The hearing shall
13 comply with RSA Chapter 541-A. RSA 397-A:17 and RSA 397-A:18.

14 13. If any person fails to request a hearing within thirty (30) days of
15 receiving this Order, then such person shall be deemed in default, and the
16 Order shall, on the thirty-first (31st) day, become permanent, all
17 allegations may be deemed true, and shall remain in full force and effect
18 until modified or vacated by the Commissioner for good cause shown. RSA
19 397-A:17,I and RSA 397-A:18.

20 14. A default may result in administrative fines as described in Paragraph
21 2 above.

22 **STATEMENT OF ALLEGATIONS**

23 15. On January 4, 2010, the Department received a hotline from a New
24 Hampshire consumer against Respondents concerning residential mortgage loan
25 modification services. The New Hampshire consumer indicated the Consumer

1 received a solicitation to obtain a loan modification for a fee of \$300.00
2 per month to be paid to Respondent NFS at the nationwidefinancialhelp.com
3 website. The consumer did not retain these services and did not pay
4 Respondents, even when the company indicated it would refund all fees it
5 could not obtain a loan modification for the New Hampshire consumer.

6 16. Respondent NFS has been the subject of an investigation by the
7 Economic Crimes Division of the Florida Attorney General.

8 17. Respondent Pinnacle has had 17 Better Business Bureau complaints filed
9 against it and closed within the past three years.

10 18. On January 4, 2010, Respondents attempted to contract with a New
11 Hampshire consumer to modify the consumer's residential mortgage loan, in
12 violation of RSA 397-A:3,I.

13 19. On September 29, 2010, the Department sent a letter via U.S. Certified
14 Mail return receipt requested to Respondent NFS to the attention of
15 Respondent Bloom at the 1440 Coral Ridge Drive address, suggesting
16 Respondents apply for licensure with the Department. Respondents Bloom and
17 NFS received the correspondence on September 30, 2010 but failed to respond
18 to the Department.

19 20. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
20 return receipt requested to Respondent NFS to the attention of Respondent
21 Ruiz at the 3948 Coral Ridge Drive address, suggesting Respondents apply for
22 licensure with the Department and requesting a consumer list. The U.S. Post
23 Office Track and Confirm indicates the correspondence was delivered to
24 Pompano Beach, Florida on July 15, 2011. Respondents Ruiz and NFS have
25 failed to respond to the Department.

1 21. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
2 return receipt requested to Respondent NFS at the 3948 Coral Ridge Drive
3 address, suggesting Respondents apply for licensure with the Department and
4 requesting a consumer list. The U.S. Post Office Track and Confirm indicates
5 the correspondence was delivered to Pompano Beach, Florida on July 15, 2011.
6 Respondent NFS has failed to respond to the Department.

7 22. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
8 return receipt requested to Respondent NFS to the attention of Respondent
9 Bloom at the 1440 Coral Ridge Drive address, suggesting Respondents apply
10 for licensure with the Department and requesting a consumer list. The post
11 office returned the correspondence to the Department on July 25, 2011 as
12 "return to sender, unable to forward."

13 23. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
14 return receipt requested to Respondent NFG care of Respondent Ruiz at
15 Respondent Pinnacle at the 3948 Coral Ridge Drive address, suggesting
16 Respondents apply for licensure with the Department and requesting a
17 consumer list. The U.S. Post Office Track and Confirm indicates the
18 correspondence was delivered to Pompano Beach, Florida on July 15, 2011.
19 Respondents Ruiz, Pinnacle and NFG have failed to respond to the Department.

20 24. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
21 return receipt requested to Respondent NFG at the 3948 Coral Ridge Drive
22 address, suggesting Respondents apply for licensure with the Department and
23 requesting a consumer list. The U.S. Post Office Track and Confirm indicates
24 the correspondence was delivered to Pompano Beach, Florida on July 15, 2011.
25 Respondent NFG has failed to respond to the Department.

1 25. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
2 return receipt requested to Respondent NFG care of Respondent Ruiz at
3 Respondent Pinnacle at the 3471 N Federal Highway address, suggesting
4 Respondents apply for licensure with the Department and requesting a
5 consumer list. The U.S. Post Office Track and Confirm indicates the
6 correspondence was delivered to Pompano Beach, Florida on July 15, 2011.
7 Respondents Ruiz, Pinnacle and NFG have failed to respond to the Department.

8 26. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
9 return receipt requested to Respondent NFG to the attention of Respondent
10 Ruiz at the 3948 Coral Ridge Drive address, suggesting Respondents apply for
11 licensure with the Department and requesting a consumer list. The U.S. Post
12 Office Track and Confirm indicates the correspondence was delivered to
13 Pompano Beach, Florida on July 15, 2011. Respondents Ruiz and NFG have
14 failed to respond to the Department.

15 27. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
16 return receipt requested to Respondent Pinnacle at the 3948 Coral Ridge
17 Drive address, suggesting Respondents apply for licensure with the
18 Department and requesting a consumer list. The U.S. Post Office Track and
19 Confirm indicates the correspondence was delivered to Pompano Beach, Florida
20 on July 15, 2011. Respondent Pinnacle has failed to respond to the
21 Department.

22 28. On July 11, 2011, the Department sent a letter via U.S. Certified Mail
23 return receipt requested to Respondent NFG to the attention of Respondent
24 [REDACTED] at a possible private residence as listed on the Florida Secretary
25 of State website, suggesting Respondents apply for licensure with the

1 Department and requesting a consumer list. The U.S. Post Office Track and
2 Confirm indicates the correspondence was delivered to [REDACTED], [REDACTED]
3 on July 15, 2011. Respondents [REDACTED] and NFG have failed to respond to the
4 Department.

5 29. To date, Respondents have failed to provide the information requested
6 by the Department, in violation of RSA 397-A:12,I.

7
8 _____ /s/
9 Maryam Torben Desfosses
Hearings Examiner

9/16/11
Date

10 **ORDER**

11 30. **I hereby find as follows:**

12 a. Pursuant to RSA 397-A:17,I, the facts as alleged above, if true,
13 show Respondents are operating or have operated in violation of RSA Chapter
14 397-A and form the legal basis for this Order;

15 b. Pursuant to 397-A:20,VI, this Order is necessary and appropriate
16 to the public interest and for the protection of consumers and consistent
17 with the purpose and intent of New Hampshire banking laws;

18 c. The Department finds pursuant to RSA 397-A:17,II and RSA 397-
19 A:18,II, reasonable cause to issue an order to cease and desist; and

20 d. Pursuant to RSA 397-A:17,I and RSA 397-A:18,II, if any
21 Respondent fails to respond to this Order and/or defaults then all facts as
22 alleged herein are deemed as true.

23 31. **Accordingly, it is hereby ORDERED that:**

24 a. Respondents shall cease and desist from violating RSA Chapter
25 397-A and rules or orders thereunder;

1 b. Respondents shall immediately provide the Department a list of
2 all New Hampshire consumers for whom Respondents have residential mortgage
3 loan modification activity and a status of those accounts. This list must
4 include the names and contact information of the New Hampshire consumers,
5 along with monies charged, collected and waived (if applicable). The list
6 shall also be accompanied by all contracts, checks to and from the consumer
7 and any other documents in the New Hampshire consumers' files;

8 c. Respondents shall show cause why the Commissioner should not
9 enter an order of rescission, restitution, or disgorgement of profits for
10 any and all New Hampshire consumers;

11 d. Respondents shall show cause why an administrative fine of up to
12 a maximum of \$2,500.00 per violation should not be imposed as follows:

13 (1). Respondent NFS:

14 Violation #1: Unlicensed mortgage broker activity (RSA
15 397-A:3,I) - 1 Count;

16 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
17 Count;

18 (2). Respondent NFG (also as a Control Person, Principal and
19 Direct Owner):

20 Violation #1: Unlicensed mortgage broker activity (RSA
21 397-A:3,I) - 1 Count;

22 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
23 Count;

24 (3). Respondent Bloom (as Direct Owner, Control Person and
25 Principal):

1 Violation #1: Unlicensed mortgage broker activity (RSA
2 397-A:3,I) - 1 Count;

3 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
4 Count;

5 (4). Respondent Pinnacle (as Direct Owner, Control Person and
6 Principal):

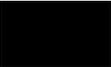
7 Violation #1: Unlicensed mortgage broker activity (RSA
8 397-A:3,I) - 1 Count;

9 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
10 Count;

11 (5). Respondent Ruiz (as Direct and Indirect Owner, Control
12 Person and Principal):

13 Violation #1: Unlicensed mortgage broker activity (RSA
14 397-A:3,I) - 1 Count;

15 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
16 Count;

17 (6). Respondent  (as Direct Owner, Control Person and
18 Principal):

19 Violation #1: Unlicensed mortgage broker activity (RSA
20 397-A:3,I) - 1 Count;

21 Violation #2: Failure to respond (RSA 397-A:12,I) - 1
22 Count;

23 e. Nothing in this Order:

24 (1). shall prevent the Department from taking any further
25 administrative and legal action as necessary under New Hampshire law; and

1 (2). shall prevent the New Hampshire Office of the Attorney
2 General from bringing an action against the above named Respondents in any
3 New Hampshire superior court, with or without prior administrative action by
4 the Commissioner.

5
6 **SO ORDERED.**

7
8 _____ /s/
9 RONALD A. WILBUR
10 BANK COMMISSIONER

Dated: 9/16/11