

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 07-214
)
 3 State of New Hampshire Banking) Order to Show Cause
)
 4 Department,) with Immediate Suspension
)
 5 Petitioner,)
)
 6 and)
)
 7 Casa Blanca Mortgage, Inc., Michael)
)
 8 J. Chung, Jiwon J. Chung, Steve Ko,)
)
 9 and Peter S. Tomita,
 Respondents

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13 CONSENT ORDER

14 I. For purposes of settling the above-referenced matter, among other
15 things, the New Hampshire Banking Department (hereinafter referred to
16 as "the Department") and Respondents, do hereby enter this Agreement
and stipulate to the following:

- 17 1. The Respondents are licensed to conduct mortgage banking activity
18 by the Department pursuant to RSA 397-A:3.
- 19 2. The Department was scheduled to begin an examination of
Respondent entity on June 4, 2007.
- 20 3. The respondent didn't submit any examination materials until
21 after being served with process in this cause.
- 22 4. The Department did not receive any examination materials until
23 August 23, 2007.

1 II. For purposes of amicably resolving and closing the above-referenced
2 matters the Respondents agree to the following terms and conditions and the
3 Department accepts the same:

- 4 1. The Respondents agree that they have voluntarily entered into this
5 Agreement without reliance upon any discussions between the
6 Department and Respondent, without promise of a benefit of any kind
7 (other than concessions contained in this Agreement), and without
8 threats, force, intimidation, or coercion of any kind. The
9 Respondents further acknowledge their understanding of the nature of
10 the offenses stated above, including the penalties provided by law.
- 11 2. The Respondents agree to waive any and all rights to a hearing and
12 appeal thereof.
- 13 3. The Respondents agree not to deny the factual basis for this
14 Agreement to which they have stipulated above and will not give
15 conflicting statements about such facts or their involvement in the
16 stipulated facts.
- 17 4. The Respondents agree that all terms of this Agreement are
18 contractual and none is a mere recital.
- 19 5. The Respondents will immediately pay a fine for violation of RSA
20 399-A:12 in the amount of \$2,500.
- 21 6. The Respondents will pay the statutory penalty for late submission
22 of examination materials within thirty days of being invoiced.
- 23 7. Respondents acknowledge they are jointly and severally liable for
24 all fines and payments referenced herein.
- 25 8. The Department agrees to reinstate the Respondents license 60 days
from the initial license suspension date.
9. The Respondents acknowledge that failure to make payment as agreed
above, operation during any further suspension period or further
violations of law will result in license action and additional
administrative fines.
10. Each person who signs this Consent Order in a representative
capacity warrants that his or her execution of this Consent Order is
duly authorized, executed, and delivered by and for the entity for
which he signs.

This Agreement represents the complete and final resolution of, and discharge
of any basis for any civil or administrative proceeding by the Department

1 against the Respondent for violations arising as a result of or in connection
2 with any actions or omissions by the Respondent through the date of this
3 Order as it applies to the allegation of Failure to Facilitate an
4 Examination; provided, however, this release does not apply to facts not
5 known by the Department or not otherwise provided by the Respondent to the
6 Department as of the date of this Order nor does it prohibit the Department
7 from taking action as a result of the Examination currently ongoing. The
8 Department expressly reserves its right to pursue any administrative or civil
9 action or remedy available to it should the Respondent breach this Agreement
10 or in the future violate the Act or rules and orders promulgated thereunder.
11 Nothing in this Agreement, absent default, will preclude the Respondent's re-
12 instatement as a mortgage broker in New Hampshire.

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1 **WHEREFORE**, based on the foregoing, we have set our hands to this Agreement,
2 with it taking effect upon the signature of Peter C. Hildreth, Bank
3 Commissioner.

4 Recommended this 24th day of August, 2007 by

5 _____
6 /s/

7 James Shepard, Staff Attorney, Banking Department

8 Executed this 23rd day of August, 2007.

9 _____
10 /s/

11 Peter Tomita, on behalf of himself and as representative for Respondents

12 **FINDING THE ABOVE CONSENT ORDER AND THE AGREEMENTS CONTAINED THEREIN TO BE IN
13 THE PUBLIC INTEREST IT IS;**

14 **SO ORDERED**

15 this 24th day of August, 2007.

16 _____
17 /s/

18 Peter C. Hildreth,
19 Bank Commissioner