

1 ALAN S. WEINGER (CA BAR NO. 86717)
2 DEPUTY COMMISSIONER
3 320 WEST 4th STREET, SUITE 750
4 LOS ANGELES, CALIFORNIA 90013-1105

5 Attorneys for Complainant

6
7 BEFORE THE DEPARTMENT OF CORPORATIONS
8 OF THE STATE OF CALIFORNIA

9 In the Matter of the Accusation of) File No. 4131107
10)
11 THE CALIFORNIA CORPORATIONS)
12 COMMISSIONER,)
13)
14 Complainant,)
15)
16 vs.)
17)
18)
19)
20 HARBOR LENDING, HIPOTECAS PUERTO)
21 SEGURO (HARBOR LENDING, LLC, DBA),)
22 Respondent)
23 _____

24 ORDER SETTING ASIDE
25 ORDER SUMMARILY REVOKING
26 RESIDENTIAL MORTGAGE LENDER AND/OR SERVICER LICENSE

27 TO: HARBOR LENDING, HIPOTECAS PUERTO SEGURO
28 (HARBOR LENDING, LLC, DBA)
166 N. 9TH STREET, SUITE B
GROVER BEACH, CA 93433

NOW, THEREFORE, the Commissioner having found that HARBOR LENDING,
HIPOTECAS PUERTO SEGURO (HARBOR LENDING, LLC, DBA) has paid its assessment as
required by Section 50401 of the Financial Code the Order Summarily Revoking Residential
Mortgage Lender and/or Servicer License is hereby set aside as of January 10, 2012.

1 Dated: Los Angeles, California
2 January 13, 2012

3 Effective: January 10, 2012

4 JAN LYNN OWEN
5 CALIFORNIA CORPORATIONS COMMISSIONER

6 By _____
7 DiAun M. Burns
8 Special Administrator
9 California Residential Mortgage Lending Act
10 (213) 576-7620
11 FAX (213) 576-7574

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1 ALAN S. WEINGER
Deputy Commissioner
2 MARISA I. URTEAGA-WATKINS (SBN236398)
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7

8 BEFORE THE DEPARTMENT OF CORPORATIONS
9 OF THE STATE OF CALIFORNIA

11 In the Matter of the Accusation of THE)	File No.: 413 1107
12 CALIFORNIA CORPORATIONS)	
12 COMMISSIONER,)	
13 Complainant,)	ACCUSATION
14)	California Financial Code §50311
15 v.)	
16 HARBOR LENDING, L.L.C.)	
17 Respondent.)	
18)	

19 The Complainant, California Corporations Commissioner ("Commissioner"), is informed and
20 believes, and based upon such information and belief, alleges and charges Respondent as follows:

21 **I.**

22 Respondent HARBOR LENDING, L.L.C. ("HARBOR") is a residential mortgage lender and
23 mortgage loan servicer licensed by the Commissioner pursuant to the California Residential
24 Mortgage Lending Act (California Financial Code, § 50000 *et seq.*) ("CRMLA"). HARBOR has its
25 principal place of business located at 166 N. 9th Street, Suite B, Grover Beach, California, with a Zip
26 Code of 93433.
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II.

Pursuant to California Financial Code sections 50307 and 50401 and California Code of Regulations, title 10, section 1950.314.8, all licensees under the CRMLA are required to file the following annual reports with the Commissioner: (1) Report of Principal Amount of Loans and Aggregate Amount of Loans Serviced ("Activity Report"); (2) Report on Non-traditional, Adjustable Rate and Mortgage Loan Products ("Non-traditional Report"); and (3) Non-traditional, Adjustable Rate and Mortgage Loan Survey ("Survey"). The Activity Report, Non-traditional Report, and Survey must be filed with the Commissioner on or before March 1st of each year for the preceding twelve (12) month period ending December 31.

On or about February 6, 2012, an Activity Report form, Non-traditional Report form and Survey were sent to all CRMLA licensees, including HARBOR, with a notice stating that these reports were due on or before March 1, 2012. HARBOR failed to submit these reports with the Commissioner. Pursuant to California Financial Code section 50326, the Commissioner assessed a penalty of \$1000.00 for the failure to submit these reports on June 5, 2012. To date, HARBOR has not submitted the Activity Report, the Non-traditional Report or the Survey to the Commissioner and paid the assessed penalty.

III.

Pursuant to California Financial Code section 50200, all licensees under the CRMLA are required to file audited financial statements ("Audited Report") with the Commissioner. On or about January 19, 2011, HARBOR changed its information with the Department to reflect a revised fiscal year end date of December 31. Therefore, HARBOR was required to file its Audited Report for its fiscal year ending May 31, 2011 (due to the Commissioner on September 15, 2011) and for December 31, 2011 (due to the Commissioner on April 15, 2012). To date, HARBOR has not submitted the Audited Reports to the Commissioner.

IV.

Pursuant to California Financial Code section 50307.2 and California Code of Regulations, title 10, section 1950.314.8 all licensees under the CRMLA are required to file quarterly Mortgage Call reports with the Commissioner. Therefore, HARBOR is and was required to file Mortgage Call

1 reports each quarter with the Commissioner. HARBOR failed to file its Mortgage Call reports with
2 the Commissioner for the fourth (4th) quarter of 2011 and the first (1st) quarter of 2012. To date,
3 HARBOR has not submitted the Mortgage Call reports to the Commissioner.

4 **V.**

5 California Financial Code section 50327 provides in pertinent part:

6 (a) The commissioner may, after notice and a reasonable opportunity to
7 be heard, suspend or revoke any license if the commissioner finds that:
8 (1) the licensee has violated any provision of this division or any rule or
9 order of the commissioner thereunder; or (2) any fact or condition
10 exists that, if it had existed at the time of the original application for the
11 license, reasonably would have warranted the commissioner in refusing
12 to issue the license originally.

11 **VI.**

12 The Commissioner finds that, by reason of the foregoing, HARBOR LENDING, L.L.C. has
13 violated California Financial Code sections 50200, 50307, 50307.2, 50326, 50401, and California
14 Code of Regulations, title 10, section 1950.314.8, and based thereon, grounds exist to revoke
15 HARBOR LENDING, L.L.C.'s license as a residential mortgage lender and mortgage loan servicer.

16 WHEREFORE, IT IS PRAYED that the residential mortgage lender and mortgage loan
17 servicer license of HARBOR LENDING, L.L.C. be revoked and, pursuant to Financial Code section
18 50311, HARBOR LENDING, L.L.C. be given a transition period of sixty (60) days within which to
19 complete any loans for which it had prior commitments.

20
21 DATED: July 24, 2012
22 Sacramento, CA

JAN LYNN OWEN
California Corporations Commissioner

23
24 By _____
25 Marisa I. Urteaga-Watkins
26 Corporations Counsel
27
28

1 MARY ANN SMITH
Deputy Commissioner
2 MARISA I. URTEAGA-WATKINS (CA BAR NO. 236398)
3 Corporations Counsel
Department of Corporations
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8
9 BEFORE THE DEPARTMENT OF CORPORATIONS
10 OF THE STATE OF CALIFORNIA

11 In the Matter of the Accusation of THE)
12 CALIFORNIA CORPORATIONS)
13 COMMISSIONER,)

14 Complainant,)

15 v.)

16 HARBOR LENDING, L.L.C.)

17 Respondent.)
18

File No.: 413 1107

**ORDER REVOKING RESIDENTIAL
MORTGAGE LENDER AND MORTGAGE
SERVICER LICENSE**

19 The California Corporations Commissioner finds:

20 1. Respondent HARBOR LENDING, L.L.C. ("HARBOR") is a residential mortgage
21 lender and mortgage loan servicer licensed by the California Corporations Commissioner
22 ("Commissioner") pursuant to the California Residential Mortgage Lending Act (California Financial
23 Code, § 50000 *et seq.*) ("CRMLA"). HARBOR has its principal place of business located at 166 N.
24 9th Street, Suite B, Grover Beach, California, 93433.

25 2. On or about July, 24, 2012, the Commissioner issued an Accusation in Support of
26 Revoking Residential Mortgage Lender and Mortgage Loan Servicer License Issued to HARBOR
27 LENDING, L.L.C. pursuant to the CRMLA, and all accompanying documents thereof, including, but
28 not limited to the Commissioner's Notice of Intent to Revoke California Residential Mortgage

1 Lender and Mortgage Loan Servicer License Loan Originator License (herein collectively,
2 “Accusation”) to HARBOR, attached and incorporated herein as “Exhibit A”.

3 3. On or about July 24, 2012 and again on August 22, 2012, the Accusation was sent as
4 served by way of U.S. Certified Mail upon HARBOR at Respondent’s address of record on file with
5 the Commissioner. The Commissioner has not received a hearing request from HARBOR and the
6 time to request a hearing has expired.

7 NOW GOOD CAUSE APPEARING THEREFORE and pursuant to the CRMLA and the
8 Accusation, it is hereby ordered that California Residential Mortgage Lender and Mortgage Loan
9 Servicer License No. 267464 issued to Respondent HARBOR LENDING, L.L.C. is hereby revoked.
10 This order is effective as of the date hereof. Pursuant to California Financial Code section 50311,
11 HARBOR LENDING, L.L.C., has sixty (60) days within which to complete any loans for which it
12 had commitments.

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14 DATED: September 27, 2012
15 Sacramento, CA

JAN LYNN OWEN
California Corporations Commissioner

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By _____
Mary Ann Smith
Deputy Commissioner
Enforcement Division

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1 PRESTON DUFAUCHARD
2 CALIFORNIA CORPORATIONS COMMISSIONER
3 ALAN S. WEINGER (CA BAR NO. 86717)
4 DEPUTY COMMISSIONER
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6 LOS ANGELES, CALIFORNIA 90013-1105

7 Attorneys for Complainant

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BEFORE THE DEPARTMENT OF CORPORATIONS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation of) File No. 4131107
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THE CALIFORNIA CORPORATIONS)
COMMISSIONER,)
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Complainant,)
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vs.)
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)
HARBOR LENDING, HIPOTECAS PUERTO)
SEGURO (HARBOR LENDING, LLC, DBA),)
Respondent

ORDER SUMMARILY REVOKING
RESIDENTIAL MORTGAGE LENDER AND/OR SERVICER LICENSE

THE CALIFORNIA CORPORATIONS COMMISSIONER FINDS THAT:

GOOD CAUSE APPEARING, the license issued HARBOR LENDING, HIPOTECAS
PUERTO SEGURO (HARBOR LENDING, LLC, DBA) is hereby revoked for failure to comply
with Section 50401 of the California Residential Mortgage Lending Act which requires the payment
of an assessment to the Commissioner.

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Dated: November 7, 2011
Effective: December 12, 2011
Los Angeles, California

PRESTON DUFAUCHARD
CALIFORNIA CORPORATIONS COMMISSIONER

By _____
DIAUN M. BURNS
Special Administrator
California Residential Mortgage Lending Act