

1 MARY ANN SMITH  
Deputy Commissioner  
2 MIRANDA LEKANDER  
Assistant Chief Counsel  
3 TIMOTHY L. Le BAS (State Bar No. 135565)  
Senior Counsel  
4 Department of Business Oversight  
1515 K Street, Suite 200  
5 Sacramento, California 95814  
Telephone: (916) 322-2050  
6 Facsimile: (916) 455-6985

7 Attorneys for Complainant

8  
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
10 OF THE STATE OF CALIFORNIA

11 In the Matter of: ) NMLS NO. 156125  
12 THE COMMISSIONER OF BUSINESS )  
OVERSIGHT, ) ACCUSATION TO BAR ROBIN TALIA  
13 ) FROM EMPLOYMENT, MANAGEMENT  
Complainant, ) OR CONTROL OF ANY FINANCE  
14 v. ) LENDER, BROKER, OR MORTGAGE  
ROBIN TALIA, ) LOAN ORIGINATOR PURSUANT TO  
15 ) FINANCIAL CODE SECTION 22169  
16 )  
Respondent. )  
17 )  
18 )

19 The Complainant, the Commissioner of Business Oversight (Commissioner), files this  
20 Accusation to bar Robin Talia (Talia) from any position of employment, management or control of  
21 any finance lender, broker or mortgage loan originator pursuant to Financial Code section 22169.

22 The Commissioner alleges and charges as follows:

23 **I.**

24 **STATEMENT OF FACTS**

25 1. The Commissioner licenses and regulates mortgage loan originators, finance lenders  
26 and brokers under the California Finance Lenders Law (CFLL) (Fin. Code, § 21000 et seq.). To  
27 become licensed by the Commissioner as a mortgage loan originator (MLO), an individual must  
28 submit a uniform application form (known as the MU2 or MU4 form) through the Nationwide

1 Mortgage Licensing System & Registry (NMLS). Persons applying for a license as a finance lender  
2 or broker must submit a form known as the MU1. The NMLS contains a detailed set of instructions  
3 for filing license applications, including a checklist of items to be completed by the applicant. That  
4 checklist states:

5 THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE  
6 REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING.  
7 THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR  
8 GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH THE NMLS.  
9 SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

10 2. As stated in the application instructions, the applicant is responsible for the  
11 requirements of an application including its contents. Despite instructions designed to facilitate the  
12 application process for an individual, Talia failed to file a complete application through the NMLS  
13 that would enable him to operate as a MLO, or as a finance lender or broker. Instead, Talia has  
14 engaged in a pattern of conduct to impede, obstruct or influence the Commissioner’s administration  
15 of the licensing process in violation of Financial Code section 22170. Talia has also engaged in  
16 unlicensed activity in violation of Financial Code section 22100.

17 **II.**

18 **THE MLO LICENSE APPLICATION**

19 3. Talia applied to the Department of Business Oversight (Department) for an MLO  
20 license on September 8, 2016. From September 8, 2016 to October 11, 2016, Talia submitted 24  
21 amended application filings through the NMLS.

22 4. On October 12, 2016, the Commissioner approved his license application as  
23 “Approved - Inactive,” in accordance with the NMLS guidelines, because Talia was not yet  
24 employed (or sponsored) by a licensed finance lender or broker. On that same date, the NMLS  
25 system notified Talia that he would need to complete his continuing education requirements.

26 5. On or about October 14, 2016, Talia telephoned a staff person employed by the  
27 Department (Employee 1). Talia requested Employee 1 to remove the two application deficiencies,  
28 or “license items,” that prevented him from obtaining active status; these deficiencies were: (1)

1 failing to be employed by a finance lender or broker, and (2) failing to complete continuing  
2 education.

3           6.       When Employee 1 informed Talia that the license items would be removed from the  
4 NMLS once he completed both requirements, Talia stated, “I and my licensing department will  
5 continue to create application amendments, make phone calls, and send e-mails until all phone and  
6 computer inboxes are flooded . . . and you don’t want that, do you?” When Employee 1 offered to  
7 help him, Talia responded by yelling. As a result of Talia’s threatening tone, Employee 1  
8 disconnected the call.

9           7.       After threatening to flood the NMLS with application filings, Talia made 188 filings  
10 under the NMLS identification number of 156125 from October 12, 2016 to January 26, 2017. Of  
11 those 188 filings, 157 of them (84 percent of the filings) contained no new application information.  
12 In one day alone (October 12, 2016), Talia submitted 45 filings of which 41 (91 percent of the  
13 filings) contained no new application information. Under his more recent application (number  
14 1583783), Talia made six filings between December 31, 2016 and January 10, 2017; two of which  
15 contained no new application information.

16           8.       In addition to flooding the NMLS with multiple filings, Talia failed to file true and  
17 accurate information, contrary to his attestation. Talia attested under penalty of perjury that  
18 application information was current, true, and correct. On December 31, 2016, Talia made a filing  
19 (number 1583783) using a social security number that was different from the social security number  
20 used under identification number 156125. Moreover, on his MLO filings (number 156125), Talia  
21 provided five different first names using different spelling and font size: ROB TALIA, ROBIN  
22 TALIA, Rob R Talia, Rob Talia, and Robin Talia. Talia’s MLO filing (number 156125) dated  
23 January 26, 2017, still does not contain his full legal name but states “Rob R Talia.”

24           9.       Since October 12, 2016, when his application was designated as “Approved -  
25 Inactive,” Talia has not identified on any filing an employing entity that is exempt from or licensed  
26 under the CFLL. Talia’s MLO license expired on December 31, 2016.

27 ///

28 ///

**III.****EXEMPT COMPANY APPLICATION**

10. To be approved to operate as an MLO in this state, an applicant must be employed (or sponsored) by a licensed finance lender, a licensed finance broker, or a person that is exempt from licensing. Persons that are exempt from the CFLL may register with the Commissioner as an exempt company for the purpose of sponsoring an MLO. (Fin. Code, § 22065.) Exempt companies include, but are not limited to, state-chartered banks and trust companies. The requirements for obtaining exempt status are set forth on the NMLS website, which provides detailed instructions including a checklist of items to complete. Among these items, the applicant must obtain a letter from the Department's legal division, confirming the exemption status.

11. On October 3, 2016, Talia applied for exempt company status through the NMLS, using identification number 1529775. From October 3, 2016 to October 11, 2016, Talia made 10 filings on behalf of non-exempt entities including Home Base Home Loans, Inc., Homebase Brokerage, and Home Base Home Loans, Inc. D/B/A Homebase Holdings. On October 11, 2016, another Department staff person, Employee 2, provided notice on the NMLS that Talia's application filings were deficient and did not include a letter to address whether Homebase Brokerage was an exempt entity.

12. On October 14, 2016, Talia used privately obtained information to contact Employee 2 during hours outside of employment. Although Employee 2 did not provide her personal cell phone number to him, Talia called Employee 2 on her personal cell after work on October 14, 2016. Talia called Employee 2 approximately 18 times during non work hours. Employee 2 took only one call from Talia, who complained, in a forceful tone, about his inability to become registered as an exempt entity.

13. From 11:20 a.m. to 2:30 p.m. on Saturday, October 15, 2016, Talia called Employee 2 on her personal cell phone approximately 118 times. Talia also called Employee 2 on her home landline as well as the personal cell phone of Employee 2's daughter. Talia's intimidating conduct compelled Employee 2 to purchase a new cell phone and block Talia's phone number on her landline. Employee 2's daughter also found it necessary to block Talia's number from her personal

1 phone. After Employee 2 filed a police report with the Anaheim Police Department, Talia was  
2 warned by law enforcement that he could be arrested if he continued to victimize Employee 2 and  
3 her daughter.

4 14. In addition to harassing Employee 2 at home, Talia harassed this same employee  
5 while she was working for the Department during business hours. For example, on October 17,  
6 2016, Talia called the state telephone number of Employee 2 multiple times in an attempt to contact  
7 her. Between October 14, 2016 and October 17, 2016, he also sent several electronic mail messages  
8 (e-mails) to Employee 2, concerning the exempt company application. These e-mails were often  
9 forwarded transcripts of previous e-mails that provided no information required for the application.  
10 In one episode, Talia sent the same electronic mail messages to Employee 2 and other staff 35 times  
11 between 11:41 a.m. and 11:48 a.m. on October 17, 2016. Talia's e-mails contained no new  
12 application information.

13 15. From October 4, 2016 to October 13, 2016, Talia called and e-mailed Department  
14 staff member Employee 3 numerous times concerning his pending applications. For example, on  
15 October 13, 2016, Employee 3 received over 20 copies of the same e-mail from Talia in her in-box.  
16 None of these telephone calls (including voice mails) or e-mails from Talia contained new  
17 information relevant to his pending application forms.

18 16. Talia's communications with Department employees during and outside of work  
19 hours, conveyed through hundreds of phone calls and e-mails, were so frequent and disruptive that  
20 the Department was compelled to direct Talia to make any and all future inquiries through its legal  
21 counsel as a single point of contact.

22 17. Also, from October 3, 2016 to January 26, 2017, Talia made 58 filings through the  
23 NMLS under the identification number of 1529775 for his exempt company application. Of these 58  
24 filings, 30 filings (52 percent) did not include additional information on the application form.

#### 25 IV.

#### 26 REQUEST FOR EXEMPT COMPANY STATUS

27 18. On October 19, 2016, Talia amended his company application form (MU1) to include  
28 a company type that is exempt from the CFLL -- a state-chartered trust company under Financial

1 Code section 22050, subdivision (a). Specifically, Talia amended his application form to include the  
2 new entity name of Homebase Trust Company, using NMLS identification number 1529775. His  
3 application form identified Homebase Trust Company as a “financial institution” and “bank holding  
4 company” when, in fact, it was not.

5 19. With his application form, Talia uploaded a request for exempt status from the  
6 Department’s Legal Division dated October 19, 2016. On his NMLS application form, Talia attested  
7 under penalty of perjury that the application information and statements and exhibits were current,  
8 true and correct. Talia also attested under penalty of perjury that he would keep the information  
9 current and file accurate supplementary information on a timely basis.

10 20. In his request for exempt status filed with the Department on October 19, 2016, Talia  
11 represented that Homebase Trust Company is a state-chartered trust company formed in the State of  
12 Nevada. His request asked for confirmation that Homebase Trust Company is an exempt company  
13 as defined in Financial Code section 22050, subdivision (a). At no time did Talia clarify for the  
14 Department, or through the NMLS system, that Homebase Trust Company had not yet been  
15 approved to operate as a licensed trust company in Nevada.

16 21. Talia’s request to the Department failed to include a copy of a letter dated October 19,  
17 2016, from the Nevada Department of Business and Industry, disapproving Talia’s request to use the  
18 name “Homebase Trust Company.” The disapproval was due to the lack of a state license to operate  
19 as a trust company in the State of Nevada. Talia never submitted this letter to the Department, or  
20 uploaded this document in NMLS, so as to disclose the disapproved license status of Homebase  
21 Trust Company.

22 22. On November 10, 2016, Talia uploaded into the NMLS a letter from the Nevada  
23 Secretary of State granting a license to use the name “Homebase Trust Company.” However, on  
24 November 29, 2016, Talia received a follow-up letter from the Nevada Secretary of State  
25 disapproving the proposed company name. Yet, Talia never submitted this disapproval letter to the  
26 Department or through the NMLS system, to disclose the disapproved name of Homebase Trust  
27 Company.

28



1 Again, Talia made multiple filings for the above applications, without providing any new  
2 information. For example, for application numbers 1551498 and 1551920, Talia made 35 filings of  
3 which 16 filings (46 percent) contained no new application information. For application 1551920,  
4 12 of 18 filings (66 percent) set forth no new information.

5 **VI.**

6 **UNLICENSED ACTIVITY**

7 26. Financial Code section 22100 provides:

8 No person shall engage in the business of a finance lender or broker without  
9 obtaining a license from the commissioner.

10 27. On or about August 9, 2016, Talia established another company, Homebase  
11 Brokerage, a company of unknown origin. Although Homebase Brokerage is not licensed by the  
12 Department, Talia has held the company out as being engaged in the business of making loans. A  
13 public Facebook page for Homebase Brokerage states that it is a finance company, mortgage broker,  
14 and residential real estate lender/broker. A review of the Facebook page of Homebase Brokerage  
15 shows Talia as a Branch Manager. The Yellow Pages' webpage for Homebase Brokerage also  
16 discloses mortgage services and provides contact information including a phone number, address,  
17 and hours of business.

18 **VII.**

19 **GROUND TO BAR**

20 28. Financial code section 22169, subdivision (a)(1), gives the Commissioner authority to  
21 bar individuals from any position of employment, management, or control of a finance lender,  
22 broker, or MLO and provides in relevant part:

23 (a) The commissioner may, after appropriate notice and opportunity for hearing,  
24 by order, censure or suspend for a period not exceeding 12 months, or bar from  
25 any position of employment, management, or control of any finance lender,  
26 broker, mortgage loan originator, or any other person, if the commissioner finds  
either of the following:

27 (1) That the censure, suspension, or bar is in the public interest and that the  
28 person has committed or caused a violation of this division or rule or order of



1 the commissioner, which violation was either known or should have been  
2 known by the person committing or causing it . . . .

3 **VIII.**

4 **TALIA’S VIOLATIONS OF FINANCIAL CODE SECTIONS 22170 AND 22100**

5 29. Financial Code section 22170 states:

6 (a) It is unlawful for any person to knowingly alter, destroy, mutilate, conceal,  
7 cover up, falsify, or make a false entry in any record, document, or tangible object  
8 with the intent to impede, obstruct, or influence the administration or enforcement  
9 of any provision of this division.

10 (b) It is unlawful for any person to knowingly make an untrue statement to the  
11 commissioner or the Nationwide Mortgage Licensing System and Registry during  
12 the course of licensing, investigation, or examination, with the intent to impede,  
13 obstruct or influence the administration or enforcement of any provision of this  
14 division.

15 30. With respect to Talia’s MLO application (number 156125), Talia threatened the  
16 Department that he would file amended applications to inundate the computer inboxes of staff. He  
17 carried out his threat by making 188 filings of which 157 contained no new application information.  
18 On one day alone, he submitted 45 filings of which 41 contained no new information. These  
19 numerous NMLS records contain false entries because they do not set forth additional information.  
20 These false entries by Talia, given their frequent nature, were intended to impede or obstruct or  
21 “flood” the electronic licensing system with a series of nuisance filings, and thereby prevent the  
22 Department’s staff from efficiently reviewing applications in accordance with Financial Code  
23 section 22109.1. Moreover, Talia used different social security numbers to create two separate  
24 applications; thus, he made another false entry in an NMLS record. He also failed to submit a correct  
25 legal first name on his most recent MLO application, and used various first names on the MLO  
26 filings.

27 31. Regarding his exempt company application (number 1529775), Talia further carried  
28 out his threat to saturate the electronic licensing system with amended application forms by making  
58 filings of which 30 set forth no new information. These numerous filings contain false entries  
because they do not set forth additional information. Given their frequency, the filings were also

1 intended to impede or obstruct the Department's licensing process, including its ability to investigate  
2 and act on the application in accordance with Financial Code section 22109.1.

3 32. In addition, from October 4, 2016 to December 31, 2016, Talia applied eight times for  
4 a finance company license through the NMLS, without filing the correct application forms or paying  
5 the requisite filing fee. Filing multiple applications with insufficient information or lack of payment  
6 shows a pattern and practice of impeding and obstructing the Department's ability to review and  
7 investigate the applications under Financial Code section 22109.1.

8 33. After filing an exempt company application, Talia carried out his threat to "flood" the  
9 Department's staff with multiple phone calls and e-mails. He harassed one staff member by calling  
10 her after hours and on personal phones. As an example, on Saturday October 15, 2016, Talia called  
11 the staff's personal cell phone 118 times over a two-hour period. He subsequently bombarded her  
12 state e-mail system, upon her return to work, with a large volume of e-mails. In one instance, Talia  
13 sent 35 e-mail messages to Employee 2 in just eight minutes. These e-mails and phone calls  
14 provided no new information concerning the exempt company application. In fact, the first and only  
15 call taken by that staff member disclosed that Talia was calling to complain about the lack of  
16 application approval. Talia harassed another staff member using similar tactics to bury her with a  
17 landslide of telephone calls and e-mails. Because Talia provided no new information on the pending  
18 applications, his e-mails and telephone calls constitute false entries in a state record and an effort to  
19 impede, obstruct, or otherwise influence the application approval process under Financial Code  
20 section 22065.

21 34. In Talia's request for exempt status on behalf of Homebase Trust Company, he  
22 represented to the Commissioner and through NMLS that this entity was a state-chartered trust  
23 company, a financial institution, and a bank holding company. He also uploaded this request on the  
24 NMLS and attested under penalty of perjury to its accuracy. To the contrary, and inconsistent with  
25 Talia's representations, Homebase Trust Company is not and never has been a state-chartered trust  
26 company, a financial institution, or a bank holding company. Accordingly, these false entries in  
27 documents and untrue statements were intended to impede, obstruct, or influence the  
28

1 Commissioner's decision on whether to grant the exempt company registration to Talia under  
2 Financial Code section 22065.

3 35. Talia also concealed documents during the exemption request process, which is  
4 contrary to his NMLS attestation to provide complete and accurate information on a timely basis.  
5 For example, at no time did Talia ever disclose that he merely applied for (but had not yet received  
6 approval for) a trust company license and name in the State of Nevada. Although the exemption  
7 request to the Department was made and filed through NMLS on October 19, 2016, Talia never  
8 disclosed (to the Department or in the NMLS system) a letter dated that same date from the Nevada  
9 Department of Business and Industry which denied Talia's license as a trust company. Thus, Talia  
10 concealed a record with the intent of impeding, obstructing, or in influencing the Commissioner's  
11 decision on whether to grant the request for exempt company status to Talia under section 22065 of  
12 the CFLL.

13 36. On November 10, 2016, Talia uploaded in NMLS a letter from the Nevada Secretary  
14 of State approving his trust company name. Yet, he never disclosed (to the Department or through  
15 the NMLS system) a follow-up letter dated November 24, 2016, from the Nevada Secretary of State  
16 denying the use of the trust company name. Again, Talia concealed a record with the intent of  
17 impeding, obstructing, or influencing the Commissioner's decision as to whether Homebase Trust  
18 Company is an exempt company under Financial Code section 22065.

#### 19 IX.

#### 20 IT IS IN THE PUBLIC INTEREST TO BAR TALIA

21 37. Based on the foregoing, the Commissioner finds that Talia cannot be trusted to  
22 provide complete, true, and accurate information on a timely basis to the Department. Talia  
23 concealed key documents from the Commissioner and made untrue statements, by falsely claiming  
24 that Homebase Trust Company was a state-chartered trust company in Nevada. Talia has also held  
25 himself out as a mortgage lender or broker without being licensed by the Department, in violation of  
26 Financial Code section 22100.

27 38. The Commissioner is of the further opinion that Talia engaged in obstructive behavior  
28 with respect to the current licensing system and processes of the Department. Talia has failed to file

1 bona fide application forms or to act efficiently through the NMLS system and the Department’s  
2 application process. Talia filed 188 separate forms over a three-month period of which 157  
3 contained no new application information. On one day alone, Talia submitted 45 filings to the  
4 Department of which 41 contained no new information. He also failed to provide a correct legal first  
5 name on his most recent MLO application, and used multiple social security numbers on two  
6 separate applications. Talia also failed to file the correct filing forms and to pay filing fees on  
7 multiple occasions.

8 39. Finally, the Commissioner finds that Talia engaged in abusive treatment of  
9 Department staff by harassing multiple employees during business and non-business hours and  
10 threatening to “flood” the Department with filings, e-mails, and phone calls. Talia continued to  
11 harass other staff after he was provided notice of additional information needed for his exempt  
12 company filing. For example, Talia called Employee 2’s personal cell phone 118 times over a two-  
13 hour period of time on a Saturday. He subsequently deluged her state e-mail system, upon her return  
14 to work, with multiple messages. In one instance, Talia sent 35 e-mails to a single Department  
15 employee in just eight minutes.

16 **X.**  
17 **CONCLUSION**

18 The Commissioner’s action to bar Robin Talia pursuant to Financial Code section 22169 is in  
19 the public interest. Talia has knowingly committed or caused multiple violations of the CFLL,  
20 including holding himself out as a mortgage lender or broker without a license and harassing and  
21 threatening the Department’s staff in attempt to impede, obstruct or influence the processes  
22 administered by the Department.

23 ///

24 ///

25 ///

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WHEREFORE, the Commissioner informs Robin Talia of her intent to issue an order barring him from any position of employment, management or control of a finance lender, broker, or mortgage loan originator.

Dated: March 9, 2017

JAN LYNN OWEN  
Commissioner of Business Oversight

By: \_\_\_\_\_  
TIMOTHY L. Le BAS  
Senior Counsel  
Enforcement Division