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7 Attorneys for Complainant

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

| | | | |
|----|-------------------------------|---|-----------------------------------|
| 11 | In the Matter of: |) | CRMLA LICENSE NO.: 413-1076 |
| | |) | CFLI LICENSE NO.: 603-8205 |
| 12 | THE COMMISSIONER OF BUSINESS |) | |
| 13 | OVERSIGHT, |) | |
| | |) | ORDER TO REFUND EXCESSIVE PER |
| 14 | Complainant, |) | DIEM INTEREST CHARGES PURSUANT TO |
| | |) | FINANCIAL CODE SECTION 50504 |
| 15 | vs. |) | |
| 16 | TOTAL MORTGAGE SERVICES, LLC, |) | |
| 17 | |) | |
| 18 | Respondent. |) | |
| 19 | |) | |

20 TO: TOTAL MORTGAGE SERVICES, LLC
21 185 Plains Road, 3rd Floor
22 Milford, Connecticut 06461

23 The Commissioner of Business Oversight finds that:

24 Total Mortgage Services, LLC has willfully charged, and received from borrowers, interest
25 on loans for a period in excess of one day prior to the disbursement of loan proceeds in violation of
26 California Financial Code section 50204, subdivision (o).

27 NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING, it is hereby
28 ORDERED under the provisions of Financial Code section 50504, subdivision (b), that Total
Mortgage Services, LLC immediately refund to all borrowers charged excessive per diem interest

1 between February 8, 2013 and the date of this Order, the amount of the excessive per diem interest
2 along with interest at the rate of ten percent per annum, calculated from the date the excessive per
3 diem interest was imposed.

4 Dated: October 4, 2017
5 Los Angeles, CA

JAN LYNN OWEN
Commissioner of Business Oversight

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7 By _____
8 Mary Ann Smith
9 Deputy Commissioner
10 Enforcement Division
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