

1 MARY ANN SMITH
Deputy Commissioner
2 DANIEL P. O'DONNELL
Assistant Chief Counsel
3 JEREMY F. KOO (State Bar No. 300225)
Counsel
4 Department of Business Oversight
1515 K Street, Suite 200
5 Sacramento, California 95814
Telephone: (916) 327-2610
6 Facsimile: (916) 445-6985

7 Attorneys for Complainant

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

11	In the Matter of:	)	NMLS FILE NO.: 519011
12)	
13	THE COMMISSIONER OF BUSINESS	)	ORDER TO BAR JENNIFER PIERANTONI,
14	OVERSIGHT,	)	ALSO KNOWN AS JENNIFER VERA AND
15		)	AS JENNIFER FRIAS, FROM ANY
16	Complainant,	)	POSITION OF EMPLOYMENT,
17		)	MANAGEMENT OR CONTROL OF ANY
18	v.	)	FINANCE LENDER, BROKER, PROGRAM
19		)	ADMINISTRATOR, OR ANY OTHER
20	JENNIFER PIERANTONI, ALSO KNOWN AS	)	PERSON PURSUANT TO FINANCIAL CODE
21	JENNIFER VERA AND AS JENNIFER	)	SECTION 22169
22	FRIAS,)	
23)	
24	Respondent.)	
25)	

21 Manuel P. Alvarez, the Commissioner of Business Oversight (Commissioner), finds against
22 Respondent Jennifer Pierantoni, also known as Jennifer Vera and as Jennifer Frias, as follows:

23 **I.**
24 **Introduction**

25 1. The Commissioner licenses and regulates mortgage loan originators, finance lenders,
26 and brokers under the California Financing Law¹ (“CFL”) (Fin. Code § 22000 et seq.).

27 _____
28 ¹ “Effective October 4, 2017, the name of the “California Finance Lenders Law” changed to the “California Financing Law.” (Assem. Bill No. 1284 (2017-2018 Reg. Sess.) § 4.) For purposes of this document, a reference to the California Financing Law means the California Finance Lenders Law before October 4, 2017 and the California Financing Law on and after that date. (Cal. Fin. Code, § 22000.)”

1 2. To become licensed by the Commissioner as a finance lender or broker, a person
2 must submit a uniform application form (known as the MU1 Form) through the Nationwide Multi-
3 State Licensing System & Registry (NMLS).

4 3. All finance lender or broker applicants must identify all direct owners or executive
5 officers of the applicant. Each direct owner or executive officer must submit a uniform application
6 form (known as the MU2 Form) through NMLS that includes, among other things, responses to
7 questions asking each direct owner or executive officer to disclose certain financial-services related
8 conduct that might impact the Commissioner’s decision to grant or deny a license to the finance
9 lender or broker applicant.

10 4. The NMLS Policy Guidebook defines “Financial Services or Financial Services
11 Related” as, in pertinent part, “Pertaining to . . . consumer lending, money services businesses, . . .
12 or real estate (including, but not limited to; acting as or being associated with a . . . mortgage lender,
13 mortgage broker, [or] real estate salesperson or agent . . .).”

14 5. A finance lender or broker applicant is required to attest to the accuracy of the
15 information in its Form MU1 and, by reference, to the information provided in each direct owner or
16 executive officer’s Form MU2 as of the date the Form MU1 is submitted.

17 **II.**
18 **Statement of Facts**

19 **A. Pierantoni & Co.’s Application Signed by Jennifer**

20 6. At all times relevant, Pierantoni & Co. (“Company”), NMLS ID 1662031, was a
21 California corporation that was an applicant with the Commissioner for a finance lender and finance
22 broker license under the CFL.

23 7. Jennifer Pierantoni (“Jennifer”), NMLS ID 519011, is a natural person who was, at
24 all relevant times, 100 percent owner of the Company and held the title of Chief Executive Officer.
25 Jennifer has also been known as “Jennifer Vera” and as “Jennifer Frias.”

26 8. Domingo Pierantoni (“Domingo”), NMLS ID 799340, is a natural person whose title
27 with the Company was, at all relevant times, Chief Financial Officer. Domingo has also been
28

1 known as “Domingo Gabriel Pierantoni” and “Domingo Gabriel Pierantoni-Velez.” Domingo is
2 Jennifer’s husband.

3 9. Stephanie Pierantoni (“Stephanie”), NMLS ID 1662188, is a natural person whose
4 title with the Company was, at all relevant times, Executive Admin.² Stephanie is Jennifer’s
5 daughter and Domingo’s step-daughter.

6 10. On January 19, 2018, the Company filed an application (“Application”) for a CFL
7 license as a finance lender and broker by filing a Form MU1 through NMLS.

8 11. The Application identified Jennifer, Domingo, and Stephanie as direct owners or
9 executive officers of the Company.

10 12. Jennifer, Domingo, and Stephanie each provided information about themselves in
11 NMLS on their own Form MU2. Each signed their respective Form MU2 under penalty of perjury
12 on their own behalf, and each Form MU2 was part of the Application by reference.

13 13. Jennifer executed the Company’s Application under penalty of perjury as CEO of
14 the Company.

15 14. On March 5, 2018, the Commissioner sent a written notice of deficiency to the
16 Company by electronic mail to Domingo, Jennifer, and Stephanie at the email addresses provided in
17 the Application, requiring the Company provide further information and declaring the Company’s
18 application incomplete.

19 15. The Commissioner received no response from the Company to the written notice of
20 deficiency by June 4, 2018, and therefore by operation of Financial Code section 22109,
21 subdivision (b), the Application was withdrawn.

22 **B. Jennifer’s Knowingly Untrue Statements in her Form MU2**

23 16. Jennifer answered the following Disclosure Questions “No” in her Form MU2 the
24 Company attested was current in the Application submitted on January 19, 2018:

- 25 i. Question (A)(1): Have you filed a personal bankruptcy petition or been the subject of
26 an involuntary bankruptcy petition within the past 10 years?
27 ii. Question (D): Do you have any unsatisfied judgments or liens against you?
28

² For ease of reading, the company and principals are distinguished by use of “Company” and the principals’ first names. No disrespect is intended by the use of the principals’ first names.

- 1 iii. Question (K)(4): Has any State or federal regulatory agency or foreign financial
2 regulatory authority or self-regulatory organization (SRO) ever entered an order
3 against you in connection with a financial services-related activity?
- 4 iv. Question (K)(9): Has any State or federal regulatory agency or foreign financial
5 regulatory authority or self-regulatory organization (SRO) ever entered an order
6 concerning you in connection with any license or registration?
- 7 v. Question (P)(2): Have you ever been named as a respondent/defendant in a financial
8 services-related consumer-initiated arbitration or civil litigation which resulted in an
9 arbitration award or civil judgment against you, regard of amount, or that required
10 corrective action?
- 11 vi. Question (P)(3): Have you ever been named as a respondent/defendant in a financial
12 services-related consumer-initiated arbitration or civil litigation which was settled
13 for any amount?

14 17. Jennifer’s responses of “No” indicated in paragraph 16 were untrue because, as of
15 January 19, 2018, respectively:

- 16 i. Jennifer had filed personal bankruptcy petitions on at least five occasions in the 10
17 years prior;
- 18 ii. Jennifer had at least three unsatisfied judgments or liens against her;
- 19 iii. The California Real Estate Commissioner had entered an order against Jennifer in
20 connection with a financial services-related activity;
- 21 iv. The California Real Estate Commissioner’s order against Jennifer was in connection
22 with her real estate license;
- 23 v. Jennifer was named in two financial services-related civil litigations that resulted in
24 civil judgments against her; and
- 25 vi. Jennifer was named as a defendant in a financial services-related consumer-initiated
26 civil litigation that was settled.

27 18. Jennifer’s responses to the Disclosure Questions in her Form MU2, as set forth in
28 paragraph 17, were knowingly untrue statements to the Commissioner or the NMLS during the

1 course of licensing with the intent to impede, obstruct, or influence the administration or
2 enforcement of the CFL, in violation of Financial Code section 22170, subdivision (b).

3 19. Further, by attesting in the Company’s Form MU1 that her responses to the
4 Disclosure Questions in her Form MU2 were accurate as set forth in paragraph 17, Jennifer made a
5 knowingly untrue statement to the Commissioner or the NMLS during the course of licensing with
6 the intent to impede, obstruct, or influence the administration or enforcement of the CFL, in
7 violation of Financial Code section 22170, subdivision (b).

8 **C. Jennifer’s Attestation to Knowingly Untrue Statements in Domingo’s Form MU2**

9 20. Domingo answered the following Disclosure Questions “No” in his Form MU2 that
10 Jennifer attested was accurate on behalf of the Company in the Application submitted on January
11 19, 2018:

- 12 i. Question (D): Do you have any unsatisfied judgments or liens against you?
- 13 ii. Question (K)(4): Has any State or federal regulatory agency or foreign financial
14 regulatory authority or self-regulatory organization (SRO) ever entered an order
15 against you in connection with a financial services-related activity?
- 16 iii. Question (K)(9): Has any State or federal regulatory agency or foreign financial
17 regulatory authority or self-regulatory organization (SRO) ever entered an order
18 concerning you in connection with any license or registration?
- 19 iv. Question (P)(2): Have you ever been named as a respondent/defendant in a financial
20 services-related consumer-initiated arbitration or civil litigation which resulted in an
21 arbitration award or civil judgment against you, regard of amount, or that required
22 corrective action?
- 23 v. Question (P)(3): Have you ever been named as a respondent/defendant in a financial
24 services-related consumer-initiated arbitration or civil litigation which was settled
25 for any amount?

26 21. Jennifer’s attestation that Domingo’s responses in his Form MU2 as set forth in
27 paragraph 20 were accurate was untrue because, as of January 19, 2018, respectively:
28

- 1 i. Domingo had at least three unsatisfied judgments against him, jointly and severally
- 2 with Jennifer;
- 3 ii. The California Real Estate Commissioner had entered an order against Domingo
- 4 (with Jennifer) in connection with a financial services-related activity;
- 5 iii. The California Real Estate Commissioner’s order against Domingo (with Jennifer)
- 6 was in connection with his real estate license;
- 7 iv. Domingo was named (with Jennifer) in two financial services-related consumer-
- 8 initiated civil litigations that resulted in a civil judgment against him;
- 9 v. Domingo was named (with Jennifer) in a financial services-related consumer-
- 10 initiated civil litigation that was settled.

11 22. By attesting that the responses to the Disclosure Questions in Domingo’s Form MU2
12 as set forth in paragraph 20 were accurate, Jennifer knowingly made untrue statements to the
13 Commissioner or the NMLS during the course of licensing with the intent to impede, obstruct, or
14 influence the administration or enforcement of the CFL, in violation of Financial Code section
15 22170, subdivision (b).

16 **D. Jennifer’s Failure to Update Change in Information**

17 23. On February 16, 2018, Domingo and Jennifer filed a joint personal bankruptcy
18 petition as husband and wife in the United States Bankruptcy Court for the Northern District of
19 California, Case No. 1840401.

20 24. Although the Company’s Application was still pending, Jennifer did not file an
21 amendment to her individual Form MU2 to change her answer of “No” to Disclosure Question
22 (A)(1): "Have you filed a personal bankruptcy petition or been the subject of an involuntary
23 bankruptcy petition within the past 10 years?"

24 25. By failing to file an amendment to her Form MU2 through NMLS within five days
25 of any change to the information on her Form MU2 while the Company’s Application was pending,
26 Jennifer violated California Code of Regulations title 10, section 1422.5, subdivision (d).

27 ///
28 ///

E. Jennifer’s Civil Judgment Involving Dishonesty, Fraud, or Deceit

26. On January 5, 2017, the Superior Court of California, County of San Mateo, entered a stipulated judgment against Jennifer in *Mencia v. Pierantoni et al*, Case No. CIV535664 after Jennifer breached a settlement agreement entered into in that case (“Stipulated Judgment”).

27. The Stipulated Judgment included admissions that she had, among other things, committed fraud and made other false claims and representations in connection with a real estate and home lending transaction, causing harm to a person to whom she owed a fiduciary duty.

28. The Stipulated Judgment is a final judgment that holds Jennifer liable in a civil action for an offense involving dishonesty, fraud, or deceit, or any other offense reasonably related to the qualifications, functions, or duties of a person engaged in the business in accordance with the provision of the CFL.

**III.
Grounds to Bar**

29. Financial Code section 22170, subdivision (b) states:

It is unlawful for any person to knowingly make an untrue statement to the commissioner or the Nationwide [Multi-State]³ Licensing System and Registry during the course of licensing, investigation, or examination, with the intent to impede, obstruct, or influence the administration or enforcement of any provision of this division.

30. California Code of Regulations title 10, section 1422.5, subdivision (d) provides:

FILING AN AMENDMENT: In the event of a change to the information in the application, or exhibits thereto, the mortgage lender, mortgage broker, or mortgage lender and broker applicant or licensee shall file an amendment to the Form MU1, MU2, or MU3 through NMLS in accordance with the procedures in Section 1409.1 of Subchapter 6 of these rules. Prior to the issuance of a license, any amendment to an application shall be filed within five (5) days. Any change that cannot be reported through NMLS shall be reported directly to the Commissioner.

31. Financial Code section 22169, subdivision (a) states:

The commissioner may, after appropriate notice and opportunity for hearing, by order, censure or suspend for a period not exceeding 12 months, or bar a person, including a mortgage loan originator, from any position of employment with, or management or control of, any finance

³ Due to a scrivener’s error, NMLS is called the “Nationwide Mortgage Licensing System and Registry” in the CFL and implementing regulations instead of its actual name, the “Nationwide Multi-State Licensing System and Registry.”

1 lender, broker, program administrator, or any other person, if the
2 commissioner finds either of the following:

3 (1) That the censure, suspension, or bar is in the public interest and that
4 the person has committed or caused a violation of this division or rule or
5 order of the commissioner, which violation was either known or should
6 have been known by the person committing or causing it or has caused
7 material damage to the finance lender, broker, program administrator, or
8 mortgage loan originator, or to the public.

9 (2) That the person has been convicted of or pleaded nolo contendere to
10 any crime, or has been held liable in any civil action by final judgment, or
11 any administrative judgment by any public agency, if that crime or civil or
12 administrative judgment involved any offense involving dishonesty, fraud,
13 or deceit, or any other offense reasonably related to the qualifications,
14 functions, or duties of a person engaged in the business in accordance with
15 the provisions of this division.

16 32. By attesting to the accuracy of the Company’s Form MU1, Jennifer violated
17 Financial Code section 22170, subdivision (b), because that attestation was an untrue statement to
18 the Commissioner or the NMLS during the course of licensing with the intent to impede, obstruct,
19 or influence the administration or enforcement of any provision of the CFL. Jennifer knew or
20 should have known she was making that untrue statement. This violation is grounds to bar Jennifer
21 from the CFL industry pursuant to Financial Code section 22169, subdivision (a)(1).

22 33. By her untrue statements in her Form MU2 and attestation to the truthfulness of
23 those statements, Jennifer violated Financial Code section 22170, subdivision (b), because those
24 were untrue statements to the Commissioner or the NMLS during the course of licensing with the
25 intent to impede, obstruct, or influence the administration or enforcement of any provision of the
26 CFL. Jennifer knew or should have known she was making that untrue statement. This violation is
27 grounds to bar Jennifer from the CFL industry pursuant to Financial Code section 22169,
28 subdivision (a)(1).

34. By failing to file an amendment to her Form MU2 after filing for bankruptcy in
2018, Jennifer failed to reflect a change to the information in that Form MU2 within five days of the
change pursuant to California Code of Regulations title 10, section 1422.5, subdivision (d). Jennifer
knew or should have known an amendment needed to be filed. This violation is grounds to bar
Jennifer from the CFL industry pursuant to Financial Code section 22169, subdivision (a)(1).

- 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

35. By reason of the foregoing, the Commissioner finds that it is in the public interest to bar Jennifer from the CFL industry.

36. By the Stipulated Judgment, Jennifer has been held liable in a civil action by final judgment involving an offense involving dishonesty, fraud, or deceit, or any other offense reasonably related to the qualifications, functions, or duties of a person engaged in the business in accordance with the provision of the CFL, constituting grounds to bar Jennifer from the CFL industry pursuant to Financial Code section 22169, subdivision (a)(2).

**IV.
Conclusion**

The Commissioner finds, by reason of the foregoing, that cause exists to bar Jennifer from the CFL industry pursuant to Financial Code section 22169.

WHEREFORE on December 9, 2019, the Commissioner issued a Notice of Intention to Issue Order to Bar Jennifer Pierantoni, also known as Jennifer Vera and as Jennifer Frias, From Any Position of Employment, Management or Control of any Finance Lender, Broker, Program Administrator, or any Other Person Pursuant to Financial Code Section 22169, Accusation, and accompanying document (Notice of Intention to Bar) based on the above findings. The Notice of Intention to Bar was served on Jennifer Pierantoni on February 19, 2020. Jennifer Pierantoni did not request a hearing and the time to request a hearing has expired.

NOW GOOD CAUSE APPEARING THEREFOR, it hereby ordered that Jennifer Pierantoni, also known as Jennifer Vera and as Jennifer Frias, is barred from any position of employment with, or management or control of, any finance lender, broker, program administrator, or any other person pursuant to Financial Code section 22169.

Dated: March 23, 2020
Sacramento, California

MANUEL P. ALVAREZ
Commissioner of Business Oversight

By _____
MARY ANN SMITH
Deputy Commissioner