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

10 In the Matter of:
11 THE COMMISSIONER OF BUSINESS
OVERSIGHT,

12 Complainant,

13 v.

14 JUAN SOPPRANI, also known as JUAN S.
15 LUDENA,

16 Respondent.

CITATIONS INCLUDING:

- (1) ORDER TO CORRECT VIOLATIONS OF FINANCIAL CODE SECTION 50002;
- (2) ORDER TO CORRECT VIOLATIONS OF DESIST AND REFRAIN ORDER; and
- (3) ASSESSMENT OF ADMINISTRATIVE PENALTIES PURSUANT TO FINANCIAL CODE SECTION 50501.5.

19 Manuel P. Alvarez, Commissioner of Business Oversight (Commissioner) finds the following:

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21 **I.**
INTRODUCTION

22 The Commissioner issues these Citations to Juan Sopprani, also known as Juan S. Ludena
23 (Sopprani), for violations of Financial Code section 50002, subdivision (d) of the Residential
24 Mortgage Lending Act (Fin. Code, §5000 et seq.) (CRMLA).

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26 **II.**
STATEMENT OF FACTS

27 1. At all relevant times, Juan Sopprani, also known as Juan S. Ludena (Sopprani) was an
28 individual with the last known address of 1795 Wilson Avenue, Upland, California 91784.

1 Chapter 3 (commencing with Section 50130), and any rules
2 promulgated by the commissioner under this law, unless a person or
3 transaction is excepted from a definition or exempt from licensure by a
provision of this law or a rule of the commissioner.

4 8. Based on the foregoing findings, the Commissioner is of the opinion that Sopprani
5 engaged in the business of a mortgage loan originator with respect to a dwelling located in this state
6 without first obtaining and maintaining annually a license from the Commissioner, in violation of
7 Financial Code section 50002, subdivision (d).

8 9. Also based on the foregoing findings, the Commissioner is of the opinion that
9 Sopprani, by so engaging in the business of a mortgage loan originator without a license, is in
10 violation of the Commissioner's previous March 18, 2019 Order, which became final June 16, 2019.

11 10. The Commissioner hereby assesses an administrative fine of \$5,000 under the
12 provisions of Financial Code section 50501.5, Sopprani is hereby ordered to pay the Commissioner
13 an administrative fine of \$5,000, \$2,500 for the citation of engaging in the business of a mortgage
14 loan originator without a license, and \$2,500 for the citations of violating the Commissioner's
15 previous Order.

16 11. Financial Code section 50501.5, provides in pertinent part:

17 (a) If, upon inspection, examination, or investigation, the
18 commissioner has cause to believe that a licensee or person is violating
19 or has violated any provision of this division or any rule or order
20 thereunder, the commissioner or his or her designee may issue a
21 citation to that licensee or person in writing, describing with
22 particularity the basis of the citation. Each citation may contain an
23 order to correct the violation or violations identified and provide a
24 reasonable time period or periods by which the violation or violations
25 must be corrected. In addition, each citation may assess an
26 administrative fine not to exceed two thousand five hundred dollars
27 (\$2,500) that shall be deposited in the State Corporations Fund. In
28 assessing a fine, the commissioner shall give due consideration to the
appropriateness of the amount of the fine with respect to factors
including the gravity of the violation, the good faith of the person or
licensees cited, and the history of previous violations. A citation issued
and a fine assessed pursuant to this section, while constituting
punishment for a violation of law, shall be in lieu of other
administrative discipline by the commissioner for the offense or

1 offenses cited, and the citation and fine payment thereof by a licensee
2 shall not be reported as disciplinary action taken by the commissioner.

3 (b) Notwithstanding subdivision (a), nothing in this section shall
4 prevent the commissioner from issuing an order to desist and refrain
5 from engaging in a specific business or activity or activities, or an order
6 to suspend all business operations to a person or licensee who is
7 engaged in or who has engaged in continued or repeated violations of
8 this division. In any of these circumstances, the sanctions authorized
9 under this section shall be separate from, and in addition to, all other
10 administrative, civil, or criminal remedies.

11 (c) If, within 30 days from the receipt of the citation, the person cited
12 fails to notify the department that the person intends to request a
13 hearing as described in subdivision (d), the citation shall be deemed
14 final...

15 12. Sopprani shall pay this administrative fine by cashier's check or Automated Clearing
16 House deposit made payable to the Department of Business Oversight, Accounting, 1515 K Street,
17 Suite 200, Sacramento, California 95814, no later than 30 days from the receipt of these citations,
18 unless he notifies the Department that he intends to request a hearing as described in subdivision (d)
19 of Financial Code section 50501.5.

20 Dated: August 10, 2020
21 Sacramento, California

22 MANUEL P. ALVAREZ
23 Commissioner of Business Oversight

24 By _____
25 MARY ANN SMITH
26 Deputy Commissioner
27 Enforcement Division
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