

ORDER SUMMARY – Case Number: C-13-1368

Name(s): Mortgage Relief Advocates, LLC d/b/a The MRA Group
 Pablo R. Rodriguez
 Michael Rodriguez

Order Number: C-13-1368-13-FO01

Effective Date: January 2, 2014

License Number: Unlicensed
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)
 If applicable, you must specifically note the ending dates of terms.

License Effect:

Not Apply Until: January 2, 2019

Not Eligible Until: January 2, 2019

Prohibition/Ban Until: January 2, 2019

Investigation Costs	\$177.60	Due 1/6/14	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$3,000	Due 1/6/14	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$2,400	Due 1/6/14	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?	<input type="checkbox"/> Y <input type="checkbox"/> N			
No. of Victims:	1			

Comments:

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF DETERMINING
5 Whether there has been a violation of the
6 Mortgage Broker Practices Act of Washington by:

No.: C-13-1368-13-FO01

7 MORTGAGE RELIEF ADVOCATES, LLC
8 d/b/a THE MRA GROUP,
9 PABLO R. RODRIGUEZ, Managing Member,
10 and
11 MICHAEL RODRIGUEZ, Managing Member,

FINAL ORDER

12 Respondents.

13 I. DIRECTOR'S CONSIDERATION

14 A. Default. This matter has come before the Director of the Department of Financial
15 Institutions of the State of Washington (Director), through his designee, Consumer Services Division
16 Director Deborah Bortner (Director's designee), pursuant to RCW 34.05.440(1). On November 22,
17 2013, the Director, through the Director's designee, issued a Statement of Charges and Notice of
18 Intention to Enter an Order to Cease and Desist Business, Prohibit from Industry, Order Restitution,
19 Impose Fine, and Collect Investigation Fee (Statement of Charges) against Mortgage Relief
20 Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez, and Michael Rodriguez (Respondents).
21 A copy of the Statement of Charges is attached and incorporated into this order by this reference.
22 The Statement of Charges was accompanied by a cover letter dated November 25, 2013, a Notice of
23 Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative
24 Hearing for Respondents (collectively, accompanying documents).

On November 25, 2013, the Department served Respondents with the Statement of Charges
and accompanying documents by First-Class mail and Federal Express overnight delivery. On
November 26, 2013, the documents sent by Federal Express overnight delivery were delivered. The

1 documents sent by First-Class mail were not returned to the Department by the United States Postal
2 Service.

3 Respondents did not request an adjudicative hearing within twenty calendar days after the
4 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for
5 in WAC 208-08-050(2).

6 B. Record Presented. The record presented to the Director's designee for her review and
7 for entry of a final decision included the Statement of Charges, cover letter dated November 25,
8 2013, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
9 Adjudicative Hearing for Respondents, with documentation for service.

10 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the
11 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

12 II. FINAL ORDER

13 Based upon the foregoing, and the Director's designee having considered the record and being
14 otherwise fully advised, NOW, THEREFORE:

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R.
17 Rodriguez, and Michael Rodriguez are prohibited from participation, in any
18 manner, in the conduct of the affairs of any mortgage broker subject to licensure
19 by the Director for a period of five years.
- 20 2. Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R.
21 Rodriguez, and Michael Rodriguez jointly and severally pay \$2,400 in restitution
22 to consumer K.J., as identified in paragraph 1.2 of the Statement of Charges.
- 23 3. Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R.
24 Rodriguez, and Michael Rodriguez jointly and severally pay a fine of \$3,000.
4. Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R.
Rodriguez, and Michael Rodriguez jointly and severally pay an investigation fee
of \$177.60.

1 5. Respondent Mortgage Relief Advocates, LLC d/b/a The MRA Group, its officers,
2 employees, and agents maintain records in compliance with chapter 19.146 RCW,
3 the Mortgage Broker Practices Act (Act) and provide the Director with the
4 location of the books, records and other information relating to Respondent
5 Mortgage Relief Advocates, LLC d/b/a The MRA Group's provision of residential
6 mortgage loan modification services in Washington, and the name, address and
7 telephone number of the individual responsible for maintenance of such records in
8 compliance with the Act.

9 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a
10 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
11 must be filed in the Office of the Director of the Department of Financial Institutions by courier at
12 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
13 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The
14 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
15 Reconsideration a prerequisite for seeking judicial review in this matter.

16 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the
17 date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a
18 written notice specifying the date by which it will act on a petition.

19 C. Stay of Order. The Director's designee has determined not to consider a Petition to
20 Stay the effectiveness of this order. Any such requests should be made in connection with a Petition
21 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

22 D. Judicial Review. Respondents have the right to petition the superior court for judicial
23 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for
24 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

E. Non-compliance with Order. If Respondents do not comply with the terms of this
order, **including payment of any amounts owed within 30 days of receipt of this order**, the
Department may seek its enforcement by the Office of the Attorney General to include the collection

1 of the fines and fees imposed herein. The Department also may assign the amounts owed to a
2 collection agency for collection.

3 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
4 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
5 attached hereto.

6 DATED this 2nd day of January 2014.



8 STATE OF WASHINGTON
9 DEPARTMENT OF FINANCIAL INSTITUTIONS

10 [Redacted Signature]
11 DEBORAH BORTNER
12 Director, Division of Consumer Services

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

5 MORTGAGE RELIEF ADVOCATES, LLC d/b/a
THE MRA GROUP,
6 PABLO R. RODRIGUEZ, Managing Member, and
MICHAEL RODRIGUEZ, Managing Member,

7 Respondents.

No. C-13-1368-13-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO CEASE AND DESIST
BUSINESS, PROHIBIT FROM
INDUSTRY, ORDER RESTITUTION,
IMPOSE FINE, AND COLLECT
INVESTIGATION FEE

8
9 INTRODUCTION

10 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial
11 Institutions of the State of Washington (Director) is responsible for the administration of chapter
12 19.146 RCW, the Mortgage Broker Practices (Act). After having conducted an investigation pursuant
13 to RCW 19.146.235, and based upon the facts available as of the date of this Statement of Charges, the
14 Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes
15 this proceeding and finds as follows:

16 I. FACTUAL ALLEGATIONS

17 1.1 Respondents.

18 A. Mortgage Relief Advocates, LLC d/b/a The MRA Group (Respondent MRA) has
19 never been licensed by the Department of Financial Institutions of the State of Washington
20 (Department) to conduct business as a mortgage broker.

21 B. Pablo R. Rodriguez (Respondent P. Rodriguez) is a managing member of Respondent
22 MRA. During the relevant time period, Respondent P. Rodriguez was not licensed by the Department
23 to conduct business as a mortgage broker or loan originator.

1 **C. Michael Rodriguez (Respondent M. Rodriguez)** is a managing member of Respondent
2 MRA. During the relevant time period, Respondent M. Rodriguez was not licensed by the Department
3 to conduct business as a mortgage broker or loan originator.

4 **1.2 Unlicensed Activity.** Between at least March and May of 2013, Respondents MRA,
5 P. Rodriguez, and M. Rodriguez (hereafter Respondents) were offering residential mortgage loan
6 modification services to Washington consumers on property located in Washington State.
7 Respondents entered into a contractual relationship with at least one Washington consumer to provide
8 those services and collected an advance fee for the provision of those services. The Department has
9 received at least one complaint from a Washington consumer alleging Respondents provided or
10 offered to provide residential mortgage loan modification services while not licensed by the
11 Department to provide those services. Consumer K.J. paid Respondents a fee of \$2,400.

12 **1.3 Misrepresentations and Omissions.** Respondents represented that they were licensed to
13 provide the residential mortgage loan modification services or omitted disclosing that they were not
14 licensed to provide those services.

15 **1.4 False Statements to the Department.** On or about October 29, 2013, Respondents stated to
16 the Department that they do not provide loan modification services but merely review consumer's
17 residential loan documents for violations of the Real Estate Settlement Procedures Act. Respondents'
18 contracts, however, clearly state that Respondents, for an additional charge of \$500, will provide loan
19 modification services.

20 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
21 Act by Respondents continues to date.

22 **II. GROUNDS FOR ENTRY OF ORDER**

23 **2.1 Mortgage Broker Defined.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,
24 "Mortgage Broker" means any person who, for direct or indirect compensation or gain, or in the

1 expectation of direct or indirect compensation or gain (a) assists a person in obtaining or applying to
2 obtain a residential mortgage loan or performs mortgage loan modification services or (b) holds
3 himself or herself out as being able to assist a person in obtaining or applying to obtain a residential
4 mortgage loan or provide residential mortgage loan modification services. Pursuant to WAC 208-660-
5 006, a person ““assists a person in obtaining or applying to obtain a residential mortgage loan’ by,
6 among other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan
7 packages....”

8 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), “loan originator” means a
9 natural person who for direct or indirect compensation or gain, or in the expectation of direct or
10 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker;
11 offers or negotiates terms of a mortgage loan; or holds themselves out to the public as able to perform
12 any of these activities.

13 **2.3 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
14 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
15 for engaging in the business of a mortgage broker for Washington residents or property without first
16 obtaining a license to do so.

17 **2.4 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
18 Allegations set forth in Section I above, Respondents P. Rodriguez and M. Rodriguez are in apparent
19 violation of RCW 19.146.200(1) for engaging in the business of a loan originator without first
20 obtaining and maintaining a license.

21 **2.5 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
22 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive practice
23 toward any person and obtaining property by fraud or misrepresentation. In addition, Respondents are
24

1 in apparent violation of RCW 19.146.0201(9) for making a false statement in connection with an
2 investigation conducted by the Department.

3 **2.6 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
4 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a
5 location that is on file with and readily available to the Department until at least twenty-five months
6 have elapsed following the effective period to which the books and records relate.

7 **III. AUTHORITY TO IMPOSE SANCTIONS**

8 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
9 Director may issue orders directing any person subject to the Act to cease and desist from conducting
10 business.

11 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
12 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker
13 any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9), or
14 RCW 19.146.200.

15 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
16 restitution against any person subject to the Act for any violation of the Act.

17 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
18 against any person subject to the Act for any violation of the Act.

19 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), and WAC 208-
20 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time devoted
21 to an investigation of any person subject to the Act.

22 //

23 //

24 //

1 **IV. NOTICE OF INTENT TO ENTER ORDER**

2 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as
3 set forth above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,
4 and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

- 5 **4.1** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
6 and Michael Rodriguez cease and desist engaging in the business of a mortgage broker or loan
7 **4.2** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
8 and Michael Rodriguez be prohibited from participation, in any manner, in the conduct of the
9 **4.3** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
10 and Michael Rodriguez jointly and severally pay restitution to the one consumer identified by
11 the Department in paragraph 1.2 in the amount set forth therein, and that Respondents
12 Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez, and Michael
13 Rodriguez jointly and severally pay restitution to each Washington consumer with whom they
14 entered into a contract for residential mortgage loan modification services related to real
15 property or consumers located in the state of Washington equal to the amount collected from
16 that Washington consumer for those services in an amount to be determined at hearing.
17 **4.4** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
18 and Michael Rodriguez jointly and severally pay a fine, which as of the date of this Statement
19 of Charges totals \$3,000.
20 **4.5** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
21 and Michael Rodriguez jointly and severally pay an investigation fee, which as of the date of
22 this Statement of Charges totals \$177.60.
23 **4.6** Respondents Mortgage Relief Advocates, LLC d/b/a The MRA Group, Pablo R. Rodriguez,
24 and Michael Rodriguez maintain records in compliance with the Act and provide the
Department with the location of the books, records and other information relating to
Respondents' provision of residential mortgage loan modification services in Washington, and
the name, address and telephone number of the individual responsible for maintenance of such
records in compliance with the Act.

1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
3 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05
4 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as
5 set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
6 accompanying this Statement of Charges.

7
8 Dated this 22nd day of November, 2013.



10 [Redacted signature]

11 DEBORAH BORTNER
12 Director, Division of Consumer Services
13 Department of Financial Institutions

15 Presented by:

16 [Redacted signature]

17 DEVON P. PHELPS
18 Financial Legal Examiner

19 Approved by:

20 [Redacted signature]

21 CHARLES E. CLARK
22 Enforcement Chief