

ORDER SUMMARY – Case Number: C-14-1432

Name(s): National Foreclosure Rescue Center Inc. f/k/a Save Your Home Help Center Incorporated f/k/a Save Your Home Law Center Inc. and Robert Jason de Groot

Order Number: C-14-1432-14-CO01

Effective Date: December 29, 2014

License Number: Unlicensed

Or NMLS Identifier [U/L]

License Effect: N/A

Not Apply Until: December 29, 2019

Not Eligible Until: December 29, 2019

Prohibition/Ban Until: December 29, 2019

Investigation Costs	\$ 384	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 12/19/14
Fine	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$ 1,995	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 12/19/14
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:				

Comments:

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

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

No. C-14-1432-14-CO01

CONSENT ORDER

NATIONAL FORECLOSURE RESCUE
CENTER INC.,
f/k/a SAVE YOUR HOME HELP CENTER,
INCORPORATED, and
f/k/a SAVE YOUR HOME LAW CENTER,
INC., and
ROBERT JASON DE GROOT, Principal,

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and National Foreclosure Rescue Center Inc., f/k/a Save Your Home Help Center Incorporated, f/k/a Save Your Home Law Center Inc. (Respondent NFRC), and Robert Jason De Groot (Respondent De Groot), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of the Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department), and Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-14-1432-14-SC01 (Statement of Charges), entered July 2, 2014, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the Department's entry of this

CONSENT ORDER
C-14-1432-14-CO01
National Foreclosure Rescue Center Inc.
f/k/a Save Your Home Help Center Incorporated
f/k/a Save Your Home Law Center Inc.
Robert Jason de Groot

1

DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 Consent Order and further agree that the issues raised in the above-captioned matter may be
2 economically and efficiently settled by entry of this Consent Order. The parties intend this Consent
3 Order to fully resolve the Statement of Charges.

4 Based upon the foregoing:

5 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter
6 of the activities discussed herein.

7 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a
8 hearing before an administrative law judge, and hereby waive their right to a hearing and any and all
9 administrative and judicial review of the issues raised in this matter, or of the resolution reached
10 herein. Accordingly, Respondents, by their signatures below, withdraw their appeal to the Office of
11 Administrative Hearings.

12 C. **Prohibition from Industry.** It is AGREED that, for a period of five years from the date
13 of entry of this Consent Order, Respondents are prohibited from participating, in any capacity, in the
14 conduct of the affairs of any consumer loan company or mortgage broker licensed by the Department
15 or subject to licensure or regulation by the Department.

16 D. **Application for License.** It is AGREED that, for a period of five years from the date of
17 entry of this Consent Order, Respondents shall not apply to the Department for any license under any
18 name. It is further AGREED that, should Respondents apply to the Department for any license under
19 any name at any time later than five years from the date of entry of this Consent Order, such applying
20 Respondents shall be required to meet any and all application requirements in effect at that time.

21 E. **Restitution.** It is AGREED that Respondents shall pay \$1,995 in restitution to
22 Washington consumers J.P. and D.P. which represents the fees charged by Respondents for
23 residential loan modification services in connection with real property in Washington State.

1 **F. Rights of Non-Parties.** It is AGREED that the Department does not represent or have the
2 consent of any person or entity not a party to this Consent Order to take any action concerning their
3 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent
4 Order, this Consent Order does not limit or create any private rights or remedies against Respondents,
5 limit or create liability of Respondents, or limit or create defenses of Respondents to any claims.

6 **G. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an
7 investigation fee of \$384 in the form of a cashier's check made payable to the "Washington State
8 Treasurer," upon entry of this Consent Order.

9 **H. Authority to Execute Order.** It is AGREED that the undersigned have represented and
10 warranted that they have the full power and right to execute this Consent Order on behalf of the
11 parties represented.

12 **I. Non-Compliance with Order.** It is AGREED that Respondents understand that failure to
13 abide by the terms and conditions of this Consent Order may result in further legal action by the
14 Director. In the event of such legal action, Respondents may be responsible to reimburse the Director
15 for the cost incurred in pursuing such action, including but not limited to, attorney fees.

16 **J. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this
17 Consent Order, which is effective when signed by the Director's designee.

18 **K. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read
19 this Consent Order in its entirety and fully understand and agree to all of the same.

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1 **RESPONDENTS:**

2 National Foreclosure Rescue Center Inc. f/k/a Save Your Home Help Center Incorporated f/k/a Save
3 Your Home Law Center Inc.

4 By: [REDACTED]

5 Robert Jason de Groot, President
6 National Foreclosure Rescue Center, Inc.
7 [REDACTED]

15 DEC 14
Date

8 Robert Jason de Groot, Individually

15 DEC 14
Date

9 DO NOT WRITE BELOW THIS LINE

10 THIS ORDER ENTERED THIS 20th DAY OF December, 2014.



15 [REDACTED]
16 DEBORAH BORTNER
17 Director
18 Division of Consumer Services
19 Department of Financial Institutions

20 Presented by:

21 [REDACTED]
22 Gregory H. Sandoz
23 Financial Legal Examiner

24 Approved by:

[REDACTED]
Charles E. Clark
Enforcement Chief

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

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

NATIONAL FORECLOSURE RESCUE
CENTER, INC.
f/k/a SAVE YOUR HOME HELP CENTER,
INCORPORATED, and
f/k/a SAVE YOUR HOME LAW CENTER, INC.,
and
ROBERT JASON DE GROOT, Principal,

Respondents.

No. C-14-1432-14-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

INTRODUCTION

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

I. FACTUAL ALLEGATIONS

1.1 Respondents.

A. National Foreclosure Rescue Center, Inc., f/k/a Save Your Home Help Center, Incorporated and f/k/a Save Your Home Law Center, Inc. (Respondent NFRC) has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker.

B. Robert Jason de Groot (Respondent de Groot) is a principal for the National Foreclosure Rescue Center, Inc. During the relevant time period, Respondent de Groot was not licensed by the Department to conduct business as a mortgage broker or loan originator.

1.2 Unlicensed Activity. Between at least June 2013 and October 2013, Respondents were offering residential mortgage loan modification services to Washington consumers on property located in Washington State. The Department opened a complaint involving Respondents providing or offering to provide residential mortgage loan modification services to Washington consumers while not licensed by the Department to provide those services.

Respondents have admitted to the Department that between June 2013 and October 2013, they entered into a contractual relationship with at least two Washington consumers, J.P. and D.P., to provide residential loan modification services on a Washington property and collected advance fees for the provision of those services totaling \$1,995.

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

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

II. GROUNDS FOR ENTRY OF ORDER

2.1 Mortgage Broker Defined. Pursuant to RCW 19.146.010(14) and WAC 208-660-006, “Mortgage Broker” means any person who, for compensation or gain, or in the expectation of compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage loan or (b) holds himself or herself out as being able to make a residential mortgage loan or assist a person in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-006, a

1 person “assists a person in obtaining or applying to obtain a residential mortgage loan’ by, among
2 other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan packages....”

3 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), “Loan Originator” means a
4 natural person who for direct or indirect compensation or gain, or in the expectation of direct or
5 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker;
6 offers or negotiates terms of a mortgage loan; or holds themselves out to the public as able to perform
7 any of these activities.

8 **2.3 Definition of Residential Mortgage Loan Modification.** Pursuant to RCW 19.146.010(20)
9 and WAC 208-660-006, “Residential mortgage loan modification” means a change in one or more of a
10 residential mortgage loan’s terms or conditions. Changes to a residential mortgage loan’s terms or
11 conditions include but are not limited to forbearances; repayment plans; changes in interest rates, loan
12 terms, or loan types; capitalization of arrearages; or principal reductions.

13 **2.4 Definition of Residential Mortgage Loan Modification Services.** Pursuant to RCW
14 19.146.010(21) and WAC 208-660-006, “Residential mortgage loan modification services” includes
15 negotiating, attempting to negotiate, arranging, attempting to arrange, or otherwise offering to perform
16 a residential mortgage loan modification. “Residential mortgage loan modification services” also
17 includes the collection of data for submission to any entity performing mortgage loan modification
18 services.

19 **2.5 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
20 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
21 for engaging in the business of a mortgage broker for Washington residents or property without first
22 obtaining a license to do so.

1 **2.6 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
2 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
3 for engaging in the business of a loan originator without first obtaining and maintaining a license.

4 **III. AUTHORITY TO IMPOSE SANCTIONS**

5 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
6 Director may issue orders directing any person subject to the Act to cease and desist from conducting
7 business.

8 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
9 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker,
10 any person subject to the Act for any violation of the Act.

11 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
12 restitution against any person subject to the Act for any violation of the Act.

13 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
14 against any person subject to the Act for any violation of the Act.

15 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-660-
16 550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time devoted to
17 an investigation of any person subject to the Act.

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

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

22 **4.1** Respondents National Foreclosure Rescue Center, Inc. and Robert Jason De Groot cease
23 and desist from engaging in the business of a mortgage broker or loan originator.

- 1 **4.2** Respondents National Foreclosure Rescue Center, Inc. and Robert Jason De Groot be
2 prohibited from participation, in any manner, in the conduct of the affairs of any mortgage
3 broker subject to licensure by the Director for a period of five years.
- 4 **4.3** Respondents National Foreclosure Rescue Center, Inc. and Robert Jason De Groot jointly
5 and severally pay a fine, which as of the date of this Statement of Charges totals \$3,000.
- 6 **4.4** Respondents National Foreclosure Rescue Center, Inc. and Robert Jason De Groot jointly
7 and severally pay restitution to the consumers identified by the Department in paragraph
8 1.2 in the amount set forth therein, and that Respondents jointly and severally pay
9 restitution to each Washington consumer with whom they entered into a contract for
10 residential mortgage loan modification services related to real property or consumers
11 located in the state of Washington equal to the amount collected from that Washington
12 consumer for those services in an amount to be determined at hearing.
- 13 **4.5** Respondents National Foreclosure Rescue Center, Inc. and Robert Jason De Groot jointly
14 and severally pay an investigation fee, which as of the date of this Statement of Charges
15 totals \$384.

V. AUTHORITY AND PROCEDURE

16 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
17 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05
18 RCW. Respondents may make a written request for a hearing as set forth in the NOTICE OF
19 OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement
20 of Charges.

21 Dated this 2nd day of July, 2014.



22 [Redacted Signature]
23 DEBORAH BORTNER
24 Director, Division of Consumer Services
25 Department of Financial Institutions

1 Presented by:

2 [REDACTED]
3 [REDACTED]
4 GREGORY H. SANDOZ
Financial Legal Examiner

5 Approved by:

6 [REDACTED]
7 [REDACTED]
8 CHARLES E. CLARK
Enforcement Chief