

GOVERNOR RICK SCOTT

WEEKLY AGENCY REPORT

OFFICE OF FINANCIAL REGULATION

WEEK ENDING FEBRUARY 9, 2017

Successes for Week Ending February 9, 2017

1. Licensing and Registration

- Division of Securities
 - Applications Received: 1,113
 - Applications Approved: 1,076
 - Applications Denied/Withdrawn: 18

- Division of Consumer Finance
 - Applications Received: 547
 - Applications Approved: 734
 - Applications Denied/Withdrawn: 13

- Division of Financial Institutions
 - Applications Received: 1
 - Applications Approved: 1
 - Applications Denied/Withdrawn: 0

2. Regulatory Actions

Final Order for \$10,650 Against a Check Casher for Prohibited Business Practices

On February 3, 2017, the Division of Consumer Finance entered a final order against Giant Supermarket, LLC, Rasem Okab, and Rafik Abdel-halim for failure to maintain an electronic log for payment instruments cashed over \$1,000, complete files for customers who cashed corporate payment instruments exceeding \$1,000 and for failure to timely update its banking information with the OFR.

Final Order for \$18,000 Against a Check Casher for Prohibited Business Practices

On February 3, 2017, the Division of Consumer Finance entered a final order against D & D Business Solutions, Inc., and Daiva K. Antuchas for failure to maintain and deposit payment instruments it cashed into its own commercial bank account. Additionally, the respondents failed to maintain complete files for customers who cashed corporate payment instruments exceeding \$1,000, endorse payment instruments it cashed, timely update its banking information with the OFR, file currency transaction reports and timely file currency transaction reports.

Final Order for \$14,000 and a 40-Day Suspension Against a Check Casher for Prohibited Business Practices

On February 3, 2017, the Division of Consumer Finance entered a final order against NO. 5, Inc., d/b/a Quick Stop Food Store and Ashraf Abdelrahman for failure to endorse payment instruments it cashed and failure to maintain an electronic log for payment instruments cashed over \$1,000.

Final Order for \$32,000 Against a Money Transmitter for Prohibited Business Practices

On February 3, 2017, the Division of Consumer Finance entered a final order against Sigue Corporation d/b/a Envois El Cid and Guillermo De La Vina for failure to timely submit required year-end audit reports, endorse payment instruments it cashed, maintain copies of the personal ID presented for cashing a payment instrument, maintain records of customer thumbprints and maintain a complete payment log.

3. Enforcement Results

St. Petersburg Man Arrested in Advance Fee Loan Scam

On January 30, 2017, Darien Levar Bell of Levar & Associates, LLC located in St. Petersburg, was arrested by the St. Petersburg Police Department on a felony warrant issued in Hillsborough County three days earlier. The warrant was issued as a result of an OFR investigation that found that Bell acted as a loan originator without a current, active license and assessed and collected an advance fee from a borrower to provide services as a loan broker. It is alleged that Bell and his Tampa victim met online via a Craigslist ad. Bell's victim sought a \$90,000 mortgage loan to purchase two properties. Bell assured the victim that he would be able to obtain the loan and informed the victim that the victim was required to pay Bell a \$2,500 "refundable commitment fee." After receiving the victim's \$2,500 advance fee, Bell continued to request more documentation and provided multiple excuses as to why the loan was being delayed. A mortgage loan never materialized and the victim has not been refunded the \$2,500 advance fee paid to Bell. This case is being prosecuted by the Hillsborough County State Attorney's Office. Bell was booked into the Pinellas County jail and later released on \$4,000 bond.

Guilty Plea in Mortgage Fraud Scheme

On January 31, 2017, defendant Osbel Sanchez was adjudicated guilty after having signed a plea agreement with the United States Attorney's Office on January 9, 2017. On April 29, 2015, Sanchez along with a co-defendant, David Cevallos, were indicted in U.S. District Court for the Middle District of Florida for their roles in an elaborate mortgage fraud scheme involving properties in Central and South Florida. Sanchez was charged with one count of conspiracy to commit wire fraud and three individual counts of wire fraud. Cevallos and Sanchez, in concert with others, bought or facilitated the sale of condominium units at highly inflated prices, funding the purchases through mortgage loans obtained from

various financial institutions. The investigation revealed that these mortgage loans were made to credit-worthy straw buyers, who, without the lenders' knowledge or consent, had been recruited by Sanchez and Cevallos to act as borrowers in exchange for compensation. The inflated property valuations allowed the sellers in the transactions, also co-conspirators in the scheme, to sell the homes for significantly more than market value. The proceeds from the sales would then be divided amongst the participants in the scheme. The indictments alleged that Sanchez and Cevallos conspired with others to falsify settlement statements and mortgage loan applications in order to receive substantial and undisclosed kickbacks from the sellers. Their activities are alleged to have resulted in \$4.2 million in losses. This investigation was part of the U.S. Attorney's Middle District of Florida Mortgage Fraud Initiative and was developed jointly with the OFR/FBI and the Federal Housing Finance Agency. The activities averred in the indictments are alleged to have occurred between 2007 and 2008. Further indictments in the case are anticipated.

New Issues

1. Communications and Outreach Activities

On January 31, 2017, eight members of the Division of Financial Institutions attended the annual National Credit Union Association meeting to discuss exam related topics for 2017.

On February 2, 2017, the OFR released a press release regarding the arrest of a St. Petersburg Man in an advance fee loan scam.

[Press Release: St. Petersburg Man Arrested in Advance Fee Loan Scam](#)