

GOVERNOR RICK SCOTT

WEEKLY EOG AGENCY REPORT

OFFICE OF FINANCIAL REGULATION

WEEK ENDING JANUARY 10, 2013

Successes for Week Ending January 10, 2013

1. Licensing and Registration

- Division of Securities
 - Applications Received: 2,526
 - Applications Approved: 2,270
 - Applications Denied/Withdrawn: 7

- Division of Consumer Finance
 - Applications Received: 244
 - Applications Approved: 339
 - Applications Denied/Withdrawn: 27

2. Enforcement Actions

On January 5, 2012, Nelson Posada (Posada) was arrested on a state warrant for one count of fraudulently operating as a loan broker. Posada was a managing member of Loss Mitigation Professionals, a purported loan modification company that was incorporated in West Palm Beach in April 2008. According to a probable cause arrest affidavit, Posada and an unidentified partner operated the company without a proper license from January 2010 to March 2011. The company received a final cease and desist order on March 8, 2011. According to the affidavit, Posada and his partner engaged in an advanced fee scheme that targeted Hispanics. They persuaded customers by telling them that their experience and knowledge of the industry could help them save their homes through some form of loan modification such as a lower interest rate, a lower payment, or a reduction in principal. Bank records provided by the company indicated that approximately \$375,000 in advanced fees, processing fees, and commissions had been collected from clients and affiliates, according to the affidavit. Investigators contacted approximately 100 people from the company's client list and interviewed 22 of them. Those 22 had paid more than \$49,000 in advanced fees for loan modification services. It doesn't appear that any customer received a loan modification as a result of its services, according to the affidavit. The Division of Consumer Finance and the Bureau of Financial Investigations were instrumental in the success of this case.

New Issues

No new issues to report this week.