

**ORDER SUMMARY – Case Number: C-14-1545**

**Names:** HLH Group, LLC d/b/a Home Litigation Help and  
d/b/a Legal Modification  
Rudy Paul Artavia  
Michael Anthony Tapia

**Order Number:** C-14-1545-15-FO01

**Effective Date:** April 22, 2015

**License Number:** U/L  
**Or NMLS Identifier [U/L]**

**License Effect:** N/A

**Not Apply Until:** April 22, 2020

**Not Eligible Until:** April 22, 2020

**Prohibition/Ban Until:** April 22, 2020

<b>Investigation Costs</b>	\$96	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Fine</b>	\$3,000	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$2,500	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>	<input type="checkbox"/> Y <input type="checkbox"/> N			
No. of Victims:	1			

**Comments:**



1 by First-Class mail and via Federal Express overnight delivery. On October 28, 2014, the documents  
2 sent via Federal Express overnight delivery were delivered to that Los Angeles address. The  
3 documents sent via First-Class mail were not returned to the Department by the United States Postal  
4 Service. On February 3, 2015, the Department received confirmation from the Bicentennial Station  
5 Branch Office of the United States Post Office that mail addressed to Respondent Tapia was being  
6 delivered to that Los Angeles address.

7 On March 5, 2015, after prior failed service attempts on Respondents HLH and Artavia, the  
8 Department served the Statement of Charges and accompanying documents on Respondents HLH  
9 and Artavia by sending packages containing the documents to an address in Los Angeles, California,  
10 by First-Class mail and via Federal Express overnight delivery. On March 10, 2015, the documents  
11 sent via Federal Express overnight delivery were delivered to that Los Angeles address. The  
12 documents sent via First-Class mail were not returned to the Department by the United States Postal  
13 Service. On March 24, 2015, the Department received confirmation from the Bicentennial Station  
14 Branch Office of the United States Post Office that mail addressed to Respondent Artavia was being  
15 delivered to that Los Angeles address.<sup>1</sup>

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

19 B. Record Presented. The record presented to the Director's designee for his review and  
20 for entry of a final decision included the following:

- 21 1. Statement of Charges, cover letter dated October 24, 2014, Notice of Opportunity  
22 to Defend and Opportunity for Hearing, and blank Applications for Adjudicative  
Hearing for Respondents HLH and Tapia, with documentation for service.

23 <sup>1</sup> Respondents HLH, Tapia, and Artavia were all served at the same Los Angeles address.  
24

2. Statement of Charges, cover letters dated March 5, 2015, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondents HLH and Artavia, with documentation for service.
3. Post Office Address Verification Request form completed by Bicentennial Station Branch Office of the United States Post Office for Respondent Tapia received by the Department on February 3, 2015.
4. Post Office Address Verification Request form completed by Bicentennial Station Branch Office of the United States Post Office for Respondent Artavia received by the Department on March 24, 2015.

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

## II. FINAL ORDER

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

A. IT IS HEREBY ORDERED, That:

1. Respondents HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification, Rudy Paul Artavia, and Michael Anthony Tapia are prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director for a period of five years.
2. Respondents HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification, Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay restitution of \$2,500 to consumer S.N.
3. Respondents HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification, Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay a fine of \$3,000.
4. Respondents HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification, Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay an investigation fee of \$96.
5. Respondent HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondent HLH's 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           B.     Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a  
2 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
3 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
4 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
5 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents.  
6 The Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
7 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

17           E.     Non-compliance with Order. If Respondents do not comply with the terms of this  
18 order, **including payment of any amounts owed within 30 days of receipt of this order**, the  
19 Department may seek its enforcement by the Office of the Attorney General to include the collection  
20 of the fines and fees imposed herein. The Department also may assign the amounts owed to a  
21 collection agency for collection.

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



**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:

HLH GROUP, LLC d/b/a HOME LITIGATION  
HELP and d/b/a LEGAL MODIFICATION,  
RUDY PAUL ARTAVIA, Principal, and  
MICHAEL ANTHONY TAPIA, Principal,

Respondents.

No. C-14-1545-14-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO ENTER  
AN ORDER TO 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).<sup>1</sup> 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. HLH Group, LLC d/b/a Home Litigation Help and d/b/a Legal Modification**  
**(Respondent HLH Group)** has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker.

**B. Rudy Paul Artavia (Respondent Artavia)** is a manager of Respondent HLH Group. During the relevant time period, Respondent Artavia was not licensed by the Department to conduct business as a mortgage broker or loan originator.

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<sup>1</sup> All references to the Act are to that version in effect at the time of the allegations set forth in this Statement of Charges.

STATEMENT OF CHARGES C-14-1545-14-SC01 HLH GROUP, LLC d/b/a HOME LITIGATION HELP and d/b/a LEGAL MODIFICATION, RUDY PAUL ARTAVIA, and MICHAEL ANTHONY TAPIA	1	DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703
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1           **C. Michael Anthony Tapia (Respondent Tapia)** is a manager of Respondent HLH Group.  
2 During the relevant time period, Respondent Tapia was not licensed by the Department to conduct  
3 business as a mortgage broker or loan originator.

4   **1.2    Unlicensed Activity.** Between at least November and December 2010, Respondents were  
5 offering residential mortgage loan modification services to Washington consumers on property located  
6 in Washington State. Respondents entered into a contractual relationship with at least one Washington  
7 consumer to provide those services and collected an advance fee for the provision of those services.  
8 The Department has received at least one complaint from a Washington consumer alleging  
9 Respondents provided or offered to provide residential mortgage loan modification services while not  
10 licensed by the Department to provide those services. Consumer S.N. paid Respondents \$2,500 for  
11 loan modification services.

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

## 17                                   **II. GROUNDS FOR ENTRY OF ORDER**

18   **2.1    Mortgage Broker Defined.** Pursuant to RCW 19.146.010(14), "Mortgage Broker" means any  
19 person who, for compensation or gain, or in the expectation of compensation or gain (a) assists a  
20 person in obtaining or applying to obtain a residential mortgage loan or (b) holds himself or herself out  
21 as being able to assist a person in obtaining or applying to obtain a residential mortgage loan. Pursuant  
22 to WAC 208-660-006, a person "'assists a person in obtaining or applying to obtain a residential  
23 mortgage loan' by, among other things, counseling on loan terms (rates, fees, other costs), [and]  
24 preparing loan packages...."



1 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), "loan originator" means a  
2 natural person who for direct or indirect compensation or gain, or in the expectation of direct or  
3 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker;  
4 offers or negotiates terms of a mortgage loan; performs residential mortgage loan modification  
5 services; or holds themselves out to the public as able to perform any of these activities.

6 **2.3 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents  
7 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive practice  
8 toward any person and obtaining property by fraud or misrepresentation.

9 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual  
10 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)  
11 for engaging in the business of a mortgage broker for Washington residents or property without first  
12 obtaining a license to do so.

13 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual  
14 Allegations set forth in Section I above, Respondents Artavia and Tapia are in apparent violation of  
15 RCW 19.146.200(1) for engaging in the business of a loan originator without first obtaining and  
16 maintaining a license.

### 17 **III. AUTHORITY TO IMPOSE SANCTIONS**

18 **3.1 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may  
19 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker  
20 any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9) or  
21 (13), or RCW 19.146.200.

22 **3.2 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order  
23 restitution against any person subject to the Act for any violation of the Act.  
24

1 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
2 against any person subject to the Act for any violation of the Act.

3 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), and WAC 208-  
4 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time devoted  
5 to an investigation of any person subject to the Act.

#### 6 **IV. NOTICE OF INTENT TO ENTER ORDER**

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

10 **4.1** Respondents HLH Group, LLC d/b/a Home Litigation help and d/b/a Legal Modification,  
11 Rudy Paul Artavia, and Michael Anthony Tapia be prohibited from participation, in any  
12 manner, in the conduct of the affairs of any mortgage broker subject to licensure by the  
Director for a period of five years.

13 **4.2** Respondents HLH Group, LLC d/b/a Home Litigation help and d/b/a Legal Modification,  
14 Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay restitution to the  
15 consumer identified by the Department in paragraph 1.2 in the amount set forth therein, and  
16 that Respondents jointly and severally pay restitution to each Washington consumer with  
whom they entered into a contract for residential mortgage loan modification services related  
to real property or consumers located in the state of Washington equal to the amount collected  
from that Washington consumer for those services in an amount to be determined at hearing.

17 **4.3** Respondents HLH Group, LLC d/b/a Home Litigation help and d/b/a Legal Modification,  
18 Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay a fine, which as of  
the date of this Statement of Charges totals \$3,000.

19 **4.4** Respondents HLH Group, LLC d/b/a Home Litigation help and d/b/a Legal Modification,  
20 Rudy Paul Artavia, and Michael Anthony Tapia jointly and severally pay an investigation fee,  
which as of the date of this Statement of Charges totals \$264.

21 **4.5** Respondent HLH Group, LLC d/b/a Home Litigation help and d/b/a Legal Modification  
22 maintain records in compliance with the Act and provide the Department with the location of  
the books, records and other information relating to Respondent HLH Group, LLC's provision  
23 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.

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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 29<sup>th</sup> day of September, 2014.



9 [Redacted Signature]

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

13 Presented by:

14 [Redacted Signature]

15 DEVON P. PHELPS  
16 Financial Legal Examiner

17 Approved by:

18 [Redacted Signature]

19 CHARLES E. CLARK  
20 Enforcement Chief