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IN THE MATTER OF:

SMART MARKETING CORP.
(“SMC”)

SMART FAMILY GROUP LLC
(“SFG”)

RENCY MEJIA
(“Mejia”)

 (collectively, “Respondents”)
 * * * * *

**TEMPORARY ORDER TO
 CEASE AND DESIST**

ORDER TO MAKE RESTITUTION

**NOTICE OF INTENT TO ISSUE
 ORDER TO CEASE AND DESIST**

**NOTICE OF INTENT TO IMPOSE
 CIVIL PENALTY**

 AND

NOTICE OF RIGHT TO HEARING

I. LEGAL AUTHORITY AND JURISDICTION

The Banking Commissioner (“Commissioner”) is charged with the administration of Sections 36a-671 to 36a-671f, inclusive, of Part II of Chapter 669 of the Connecticut General Statutes, “Debt Adjusters and Debt Negotiation”.

Pursuant to the authority granted by Section 36a-17 of the Connecticut General Statutes, the Commissioner, through the Consumer Credit Division (“Division”) of the Department of Banking (“Department”), has investigated the activities of Respondents to determine if they have violated, are violating or are about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner.

Section 36a-17(a) of the Connecticut General Statutes provides, in pertinent part, that:

The commissioner, in the commissioner’s discretion and as often as the commissioner deems necessary to carry out the purposes of applicable law and the duties of the commissioner, may, subject to the provisions of section 36a-21 and the Freedom of Information Act, as defined in section

1-200: (1) Make, within or outside this state, such public or private investigations . . . concerning any person subject to the jurisdiction of the commissioner; (2) require or permit any person to testify, produce a record or file a statement in writing, under oath, or otherwise as the commissioner determines, as to all the facts and circumstances concerning the matter to be investigated or about which an action or proceeding is pending

Section 36a-52 of the Connecticut General Statutes provides, in pertinent part, that:

(a) Whenever it appears to the commissioner that any person has violated, is violating or is about to violate any provision of the general statutes within the jurisdiction of the commissioner, . . . the commissioner may send a notice to such person by registered or certified mail, return receipt requested, or by any express delivery carrier that provides a dated delivery receipt The notice shall be deemed received by the person on the earlier of the date of actual receipt, or seven days after mailing or sending Any such notice shall include: (1) A statement of the time, place, and nature of the hearing; (2) a statement of the legal authority and jurisdiction under which the hearing is to be held; (3) a reference to the particular sections of the general statutes . . . alleged to have been violated; (4) a short and plain statement of the matters asserted; and (5) a statement indicating that such person may file a written request for a hearing on the matters asserted within fourteen days of receipt of the notice. If a hearing is requested within the time specified in the notice, the commissioner shall hold a hearing upon the matters asserted in the notice, unless the person fails to appear at the hearing. After the hearing, the commissioner shall determine whether an order to cease and desist should be issued against the person named in the notice. If the person does not request a hearing within the time specified in the notice or fails to appear at the hearing, the commissioner shall issue an order to cease and desist against the person. No such order shall be issued except in accordance with the provisions of chapter 54.

(b) If the commissioner finds that the public welfare requires immediate action, the commissioner may incorporate a finding to that effect in the notice sent in accordance with subsection (a) of this section and issue a temporary order requiring the person to cease and desist from the activity which constitutes such alleged violation and to take or refrain from taking such action as in the opinion of the commissioner will effectuate the purposes of this section. Such temporary order shall become effective on receipt and, unless set aside or modified by a court, shall remain in effect until the effective date of a permanent order or dismissal of the matters asserted in the notice.

Section 36a-50 of the Connecticut General Statutes provides, in pertinent part, that:

(a)(1) Whenever the commissioner finds as the result of an investigation that any person has violated any provision of the general statutes within the jurisdiction of the commissioner, . . . the commissioner may send a notice to such person by registered or certified mail, return receipt

requested, or by any express delivery carrier that provides a dated delivery receipt The notice shall be deemed received by the person on the earlier of the date of actual receipt or seven days after mailing or sending Any such notice shall include: (A) A statement of the time, place, and nature of the hearing; (B) a statement of the legal authority and jurisdiction under which the hearing is to be held; (C) a reference to the particular sections of the general statutes . . . alleged to have been violated; (D) a short and plain statement of the matters asserted; (E) the maximum penalty that may be imposed for such violation; and (F) a statement indicating that such person may file a written request for a hearing on the matters asserted not later than fourteen days after receipt of the notice.

(2) If a hearing is requested within the time specified in the notice, the commissioner shall hold a hearing upon the matters asserted in the notice unless such person fails to appear at the hearing. After the hearing, if the commissioner finds that the person has violated any such provision, . . . the commissioner may, in the commissioner's discretion and in addition to any other remedy authorized by law, order that a civil penalty not exceeding one hundred thousand dollars per violation be imposed upon such person. If such person does not request a hearing within the time specified in the notice or fails to appear at the hearing, the commissioner may, as the facts require, order that a civil penalty not exceeding one hundred thousand dollars per violation be imposed upon such person.

(3) Each action undertaken by the commissioner under this subsection shall be in accordance with the provisions of chapter 54. . . .

(c) Whenever the commissioner finds as the result of an investigation that any person has violated any provision of the general statutes within the jurisdiction of the commissioner, . . . the commissioner may, in addition to any other remedy authorized by law, order such person to (1) make restitution of any sums shown to have been obtained in violation of any such provision . . . plus interest at the legal rate set forth in section 37-1 After the commissioner issues such an order, the person named in the order may, not later than fourteen days after the receipt of such order, file a written request for a hearing. The order shall be deemed received by the person on the earlier of the date of actual receipt or seven days after mailing or sending. Any such hearing shall be held in accordance with the provisions of chapter 54.

II. MATTERS ASSERTED

1. SMC is a New York corporation with a principal place of business at 220 Old Country Road, Suite 202, Mineola, New York. Pursuant to the New York State Department of State, Division of Corporations, State Records and UCC, Walter Valladares ("Valladares") is the Chief Executive Officer of SMC.

2. SFG is a New York limited liability company with a principal place of business at 220 Old Country Road, 2nd Floor, Mineola, New York.

3. Mejia is a natural person associated with SMC and/or SFG.

4. On or about June 7, 2016, a Connecticut consumer (“Mortgagor A”) entered into an Agreement entitled “SMC Contract” (“Agreement”) with SMC, to assist with negotiating a modification of the residential mortgage loan secured by Mortgagor A’s primary residence.

5. The Agreement specifically authorized Respondents to prepare letters, documents or other necessary correspondence and paperwork on Mortgagor A’s behalf, which would include personally identifiable information such as account numbers and Social Security numbers, and further authorized Respondents to sign letters and correspondence on Mortgagor A’s behalf.

6. The Agreement further contained a limited power of attorney, which authorized Mejia and SMC to directly communicate with Mortgagor A’s mortgagee to modify Mortgagor A’s mortgage loan.

7. Mortgagor A represents that he paid Eight Hundred Dollars (\$800.00) to SFG, One Thousand Nine Hundred Dollars (\$1,900.00) to Mejia and Four Hundred Dollars (\$400.00) to SMC for the debt negotiation services, which payments totaled Three Thousand One Hundred Dollars (\$3,100.00).

8. Respondents engaged in communications with Mortgagee in pursuit of a loan modification, including, but not limited to, responding to document requests from Mortgagor A’s mortgagee.

9. On or about November 30, 2017, the Department received a complaint from Mortgagor A regarding debt negotiation services provided by Respondents.

10. On or about 2015, a second Connecticut consumer (“Mortgagor B”) entered into a contract with SMC and/or SFG for Respondents to provide professional assistance in connection with resolving a mortgage default and foreclosure action brought by Mortgagor B’s mortgage company.

11. Mortgagor B paid Four Thousand Six Hundred Dollars (\$4,600.00) to SMC for the debt negotiation services.

12. Respondents failed to provide all or part of the debt negotiation services as advertised and promised to Mortgagor B.

13. The sums that Respondents charged Mortgagor A and Mortgagor B are in excess of the amount that debt negotiators may charge for services related to secured debt pursuant to the Schedule of Maximum Fees established by the Commissioner on or about October 1, 2009 (“Schedule of Maximum Fees”).

14. The Schedule of Maximum Fees provides, in pertinent part, that “[a] debt negotiator of secured debt, including Short Sales and Foreclosure Rescue Services, may impose a fee upon the mortgagor or debtor for performing debt negotiation services not to exceed Five Hundred Dollars (\$500). Such fee shall only be collectable upon the successful completion of all services stated in the debt negotiation service contract”.

15. At no time relevant hereto were Respondents licensed to engage or offer to engage in debt negotiation in this state, nor did Respondents qualify for an exemption from such licensure.

16. At no time relevant hereto was Mejia licensed as a mortgage loan originator, nor did Mejia qualify for an exemption from such licensure.

17. On or about May 31, 2018, the Department sent a letter to SMC by certified mail, return receipt requested, which was signed for by Mejia, regarding possible unlicensed debt negotiation activity and requesting a response to further evaluate the need for licensure.

18. No response was provided to the Department by SMC or Mejia.

19. On or about October 19, 2018, the Department sent letters to Valladares by certified mail, return receipt requested, requesting a response from SMC on or before November 2, 2018. One letter was received on October 24, 2018, and the other on November 1, 2018.

20. To date, Respondents have failed to provide a written response to the Department.

III. STATUTORY BASIS FOR ORDER TO MAKE RESTITUTION, ORDER TO CEASE AND DESIST AND IMPOSITION OF CIVIL PENALTY

Section 36a-671 of the Connecticut General Statutes, in effect prior to October 1, 2017, provided, in pertinent part, that:

(a) As used in this section and sections 36a-671a to 36a-671e, inclusive, (1) “debt negotiation” means, for or with the expectation of a fee, commission or other valuable consideration, assisting a debtor in negotiating or attempting to negotiate on behalf of a debtor the terms of a debtor’s obligations with one or more mortgagees or creditors of the debtor, including the negotiation of . . . foreclosure rescue services; (2) “debtor” means any individual who has incurred indebtedness or owes a debt for personal, family or household purposes; (3) “mortgagee” means the original lender under a mortgage loan secured by residential property or its agents, successors or assigns; (4) “mortgagor” means a debtor who is an owner of residential property, including, but not limited to, a single-family unit in a common interest community, who is also the borrower under a mortgage encumbering such residential property; . . . (6) “foreclosure rescue services” means services related to or promising assistance in connection with (A) avoiding or delaying actual or anticipated foreclosure proceedings concerning residential property, or (B) curing or otherwise addressing a default or failure to timely pay with respect to a mortgage loan secured by residential property, and includes, but is not limited to, the offer, arrangement or placement of a mortgage loan secured by residential property or other extension of credit when those services are advertised, offered or promoted in the context of foreclosure related services; and (7) “residential property” means one-to-four family owner-occupied real property.

(b) No person shall engage or offer to engage in debt negotiation in this state without a license issued under this section for each location where debt negotiation will be conducted. . . . A person is engaging in debt negotiation in this state if such person: . . . (2) has a place of business located outside of this state and the debtor is a resident of this state who negotiates or agrees to the terms of the services in person, by mail, by telephone or via the Internet; or (3) has its place of business located outside of this state and the services concern a debt that is secured by property located within this state.

Section 36a-671e of the Connecticut General Statutes provides, in pertinent part, that:

(b) No individual shall engage or offer to engage in debt negotiation of a residential mortgage loan on behalf of a mortgagor for compensation or gain or with the expectation of compensation or gain without first obtaining and maintaining annually a license as a mortgage loan originator under section 36a-489 unless such individual is exempt from such licensure under subdivision (2) of subsection (b) of section 36a-486.

(c) Any individual required to obtain and annually maintain a license as a mortgage loan originator under subsection (b) of this section shall comply with all requirements imposed on a mortgage loan originator licensee under chapter 668.

Section 36a-671a(b) of the Connecticut General Statutes provides, in pertinent part, that:

Whenever it appears to the commissioner that (1) any person has violated, is violating or is about to violate the provisions of sections 36a-671 to 36a-671f, inclusive, . . . the commissioner may take action against such person . . . in accordance with sections 36a-50 and 36a-52. For purposes of sections 36a-671 to 36a-671f, inclusive, each engagement and each offer to engage in debt negotiation shall constitute a separate violation.

1. SMC's engaging or offering to engage in debt negotiation in this state without obtaining the required license, as more fully described in paragraphs 1 through 20, inclusive, of the Matters Asserted, constitutes a violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2017. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and to impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes authorizes the Commissioner to impose a civil penalty upon SMC in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

2. SFG's engaging or offering to engage in debt negotiation in this state without obtaining the required license, as more fully described in paragraphs 1 through 20, inclusive, of the Matters Asserted, constitutes a violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2017. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and to impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes authorizes the Commissioner to impose a civil penalty upon SFG in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

3. Mejia's engaging or offering to engage in debt negotiation in this state without obtaining the required license, as more fully described in paragraphs 1 through 20, inclusive, of the Matters Asserted, constitutes a violation of Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2017. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and to impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes authorizes the Commissioner to impose a civil penalty upon Mejia in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

4. Mejia's engaging or offering to engage in debt negotiation of a residential mortgage loan on behalf of a mortgagor for compensation or gain in this state without obtaining and maintaining the required mortgage loan originator license, as more fully described in paragraphs 1 through 20, inclusive, of the Matters Asserted, constitutes a violation of subsections (b) and (c) of Section 36a-671e of the Connecticut General Statutes. Such violation forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and to impose a civil penalty pursuant to Sections 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes. Section 36a-50(a) of the Connecticut General Statutes authorizes the Commissioner to impose a civil penalty upon Mejia in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation.

IV. FINDING AND STATUTORY BASIS FOR TEMPORARY ORDER TO CEASE AND DESIST

The Commissioner finds that public welfare requires immediate action to issue a temporary order requiring Respondents to cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes and Mejia to cease and desist from violation subsections (b) and (c) of Section 36a-671e of the Connecticut General Statutes, and to take such action as set forth herein to effectuate the purposes of Section 36a-52(b) of the Connecticut General Statutes in that the interests of Connecticut debtors are

being materially prejudiced by Respondents engaging in debt negotiation in Connecticut while not being duly licensed, performing debt negotiation services without written contracts and receiving monies in excess of the Schedule of Maximum Fees from at least two (2) Connecticut debtors who were already struggling financially.

**V. TEMPORARY ORDER TO CEASE AND DESIST, ORDER TO MAKE RESTITUTION,
NOTICE OF INTENT TO ISSUE ORDER TO CEASE AND DESIST,
NOTICE OF INTENT TO IMPOSE CIVIL PENALTY
AND NOTICE OF RIGHT TO HEARING**

WHEREAS, the Commissioner has reason to believe that Respondents have engaged in acts or conduct which forms the basis to issue an order to cease and desist pursuant to Sections 36a-671a(b) and Section 36a-52(a) of the Connecticut General Statutes, to issue an order to make restitution pursuant to Sections 36a-671a(b) and 36a-50(c) of the Connecticut General Statutes, and to impose a civil penalty pursuant to Section 36a-671a(b) and 36a-50(a) of the Connecticut General Statutes;

AND WHEREAS, the Commissioner has made the finding required under Section 36a-52(b) of the Connecticut General Statutes.

THE COMMISSIONER THEREFORE ORDERS, pursuant to Section 36a-52(b) of the Connecticut General Statutes, that Smart Marketing Corp. immediately **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes. This Temporary Order to Cease and Desist shall become effective upon receipt by Smart Marketing Corp., and, unless set aside or modified by a court, shall remain in effect until the effective date of a permanent order or dismissal of the matters asserted in this Temporary Order to Cease and Desist.

THE COMMISSIONER THEREFORE ORDERS, pursuant to Section 36a-52(b) of the Connecticut General Statutes, that Smart Family Group LLC immediately **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes. This Temporary Order to Cease and Desist shall become effective upon receipt by Smart Family Group LLC, and, unless set aside or modified

by a court, shall remain in effect until the effective date of a permanent order or dismissal of the matters asserted in this Temporary Order to Cease and Desist.

THE COMMISSIONER THEREFORE ORDERS, pursuant to Section 36a-52(b) of the Connecticut General Statutes, that Rency Mejia immediately **CEASE AND DESIST** from violating Section 36a-671(b) and subsections (b) and (c) of Section 36a-671e of the Connecticut General Statutes. This Temporary Order to Cease and Desist shall become effective upon receipt by Rency Mejia and, unless set aside or modified by a court, shall remain in effect until the effective date of a permanent order or dismissal of the matters asserted in this Temporary Order to Cease and Desist.

THE COMMISSIONER FURTHER ORDERS, pursuant to Sections 36a-17(a) and 36a-52(b) of the Connecticut General Statutes, that: Not later than fourteen (14) days from receipt of this Temporary Order to Cease and Desist, Order to Make Restitution, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing, Smart Marketing Corp., Smart Family Group LLC and Rency Mejia shall provide to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800, or carmine.costa@ct.gov, a list of all Connecticut debtors with whom either Smart Marketing Corp., Smart Family Group LLC or Rency Mejia have entered into agreements for debt negotiation services on and after October 1, 2009. Such submission shall include: (a) a copy of each agreement, and (b) a list of each debtor's name and address and full itemization of each debtor's payments made pursuant to the agreement, specifying the dates, amounts and to whom such payments were made.

THE COMMISSIONER FURTHER ORDERS, pursuant to Section 36a-50(c) of the Connecticut General Statutes, that Smart Marketing Corp., Smart Family Group LLC and Rency Mejia **MAKE RESTITUTION** of any sums obtained as a result of Smart Marketing Corp., Smart Family Group LLC and Rency Mejia violating Section 36a-671(b) of the Connecticut General Statutes, in effect prior to October 1, 2017, plus interest at the legal rate set forth in Section 37-1 of the Connecticut General Statutes. Specifically, the Commissioner **ORDERS** that: Not later than thirty (30) days from the date

this Order to Make Restitution becomes permanent, Smart Marketing Corp., Smart Family Group LLC and Rency Mejia shall:

1. Repay \$3,100 plus interest to the Connecticut debtor, Mortgagor A, identified in Exhibit A attached hereto and repay to any other Connecticut debtor who entered into an agreement for debt negotiation services with Smart Marketing Corp., Smart Family Group LLC or Rency Mejia on and after October 1, 2015, any fees paid by such Connecticut debtor to Smart Marketing Corp., Smart Family Group LLC or Rency Mejia, plus interest. Payments shall be made by cashier's check, certified check or money order, and;
2. Provide to Carmine Costa, Director, Consumer Credit Division, Department of Banking, 260 Constitution Plaza, Hartford, Connecticut 06103-1800, or carmine.costa@ct.gov, evidence of such repayments.

NOW THEREFORE, notice is hereby given to SMC that the Commissioner intends to issue an order requiring SMC to **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes, and impose a **CIVIL PENALTY** upon SMC as set forth herein, subject to SMC's right to a hearing on the allegations set forth above.

NOW THEREFORE, notice is hereby given to SFG that the Commissioner intends to issue an order requiring SFG to **CEASE AND DESIST** from violating Section 36a-671(b) of the Connecticut General Statutes, and impose a **CIVIL PENALTY** upon SFG as set forth herein, subject to SFG's right to a hearing on the allegations set forth above.

FURTHER, notice is hereby given to Mejia that the Commissioner intends to issue an order requiring Mejia to **CEASE AND DESIST** from violating Section 36a-671(b) and subsections (b) and (c) of Section 36a-671e of the Connecticut General Statutes, and impose a **CIVIL PENALTY** upon Mejia as set forth herein, subject to Mejia's right to a hearing on the allegations set forth above.

A hearing will be granted to each Respondent if a written request for a hearing is received by the Department of Banking, Consumer Credit Division, 260 Constitution Plaza, Hartford, Connecticut 06103-1800 within fourteen (14) days following each Respondent's receipt of this Temporary Order to

Cease and Desist, Order to Make Restitution, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing as set forth in Sections 36a-52(a), 36a-50(a) and 36a-50(c) of the Connecticut General Statutes. This Temporary Order to Cease and Desist, Order to Make Restitution, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing shall be deemed received on the earlier of the date of actual receipt, or seven (7) days after mailing or sending. To request a hearing, complete and return the enclosed Appearance and Request for Hearing Form to the above address. If any Respondent will not be represented by an attorney at the hearing, please complete the Appearance and Request for Hearing Form as “pro se”. Once a written request for a hearing is received, the Commissioner may issue a notification of hearing and designation of hearing officer that acknowledges receipt of a request for a hearing, designates a hearing officer and sets the date of the hearing in accordance with Section 4-177 of the Connecticut General Statutes and Section 36a-1-21 of the Regulations of Connecticut State Agencies. If a hearing is requested, the hearing will be held on August 1, 2019, at 10 a.m., at the Department of Banking, 260 Constitution Plaza, Hartford, Connecticut.

If a hearing is requested, it will be held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, unless any Respondent fails to appear at the requested hearing. At such hearing, Respondents will have the right to appear and present evidence, rebuttal evidence and argument on all issues of fact and law to be considered by the Commissioner.

If SMC does not request a hearing within the time period prescribed or fails to appear at any such hearing, the allegations herein will be deemed admitted. Accordingly, the Order to Make Restitution shall remain in effect and become permanent against SMC, and the Commissioner will issue an order that SMC cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes, and may order a civil penalty in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon SMC.

If SFG does not request a hearing within the time period prescribed or fails to appear at any such hearing, the allegations herein will be deemed admitted. Accordingly, the Order to Make Restitution shall

remain in effect and become permanent against SFG, and the Commissioner will issue an order that SFG cease and desist from violating Section 36a-671(b) of the Connecticut General Statutes, and may order a civil penalty in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon SFG.

If Mejia does not request a hearing within the time period prescribed or fails to appear at any such hearing, the allegations herein will be deemed admitted. Accordingly, the Order to Make Restitution shall remain in effect and become permanent against Mejia, and the Commissioner will issue an order that Mejia cease and desist from violating Section 36a-671(b) and subsections (b) and (c) of Section 36-671e of the Connecticut General Statutes, and may order a civil penalty in an amount not to exceed One Hundred Thousand Dollars (\$100,000) per violation be imposed upon Mejia.

So ordered at Hartford, Connecticut,
this 18th day of June 2019.

/s/

Jorge L. Perez
Banking Commissioner

CERTIFICATION

I hereby certify that on this 19th day of June 2019, I caused to be mailed by certified mail, return receipt requested, the foregoing Temporary Order to Cease and Desist, Order to Make Restitution, Notice of Intent to Issue Order to Cease and Desist, Notice of Intent to Impose Civil Penalty and Notice of Right to Hearing to Walter Valladares, Agent for Service for Smart Marketing Corp., 220 Old Country Road, Suite 202, Mineola, NY 11501, Certified Mail No. 7014 2120 0000 3701 1672; Smart Marketing Corp., 55 N Central Avenue, Valley Stream, NY 11580, Certified Mail No. 7014 2120 0000 3701 1689; Smart Family Group LLC, 220 Old Country Road, 2nd Floor, Mineola, NY 11501, Certified Mail No. 7014 2120 0000 3701 1696; Rency Mejia, Smart Marketing Corp., 220 Old Country Road, Suite 202, Mineola, NY, 11501, Certified Mail No. 7014 2120 0000 3701 1702; Rency Mejia, 55 N Central Avenue, Valley Stream, NY 11580, Certified Mail No. 7014 2120 0000 3701 1719; and Susan Persaud, Esq., Law Offices of Susan N. Persaud, PLLC, 220 Old Country Road, Suite 200, Mineola, New York, 11501, Certified Mail No. 7014 2120 0000 3701 1726.

/s/

Emily B. Bochman
Paralegal