



Once you file your petition appealing the Order and requesting a hearing, you will be notified of the hearing date, time, place, the person who will preside at your hearing, and any other pertinent information.

You have the right to be represented by an attorney. Corporations may be required to be represented by an attorney.

The hearing and all other procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§ 501-508, 701-704, and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1.-35.251.

FILED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING 2011 MAR 18 PM 1:43

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COMMONWEALTH OF PENNSYLVANIA	:	PA DEPT OF BANKING
DEPARTMENT OF BANKING, BUREAU	:	
OF COMPLIANCE, INVESTIGATION	:	
AND LICENSING,	:	
	:	Docket No. : 11 <u>0058</u> (ENF-ORD)
v.	:	
	:	
RESIDENTIAL RELIEF FOUNDATION, LLC;	:	
SILVER LINING SERVICES, LLC; and	:	
JAMES WARREN HOLDERNESS	:	
jointly and severally,	:	
Respondents	:	

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**ORDER**

WHEREAS, the Department of Banking (the "Department") is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the Mortgage Licensing Act, 7 Pa. C.S. § 6101 *et seq.*; and

WHEREAS, the Bureau of Compliance, Investigation and Licensing (the "Bureau") is primarily responsible for administering and enforcing the Mortgage Licensing Act for the Department; and

WHEREAS, Residential Relief Foundation, Inc. ("Residential Relief") is a company that advertises loan modifications on the internet through a website, and through mail solicitations; and

WHEREAS, Residential Relief is located at 1502 Joh Ave., Suite 140, Baltimore, Maryland 21227; and

WHEREAS, Residential Relief maintains a website at [www.residentialrelief.org](http://www.residentialrelief.org); and

WHEREAS, Silver Lining Services, LLC and James Warren Holderness (collectively "Respondents") are located at 1029 North Calvert Street, Baltimore, Maryland 21202; and

**WHEREAS**, Residential Relief is believed to be so closely affiliated with Silver Lining Services, LLC and James Warren Holderness such that the actions of one are the actions of the other; and

**WHEREAS**, Residential Relief applied for a mortgage broker license with the Department on June 18, 2010 which application is currently pending;

**WHEREAS**, the act of applying for a license is an acknowledgement of the need to be licensed; and

**WHEREAS**, at no relevant or material time were any of the Respondents licensed to engage in the mortgage loan business in Pennsylvania which includes mortgage loan modification; and

**WHEREAS**, despite the lack of license, in or about September and October, 2011, Respondents, through Residential Relief, advertised on its website and through mail solicitations to Pennsylvania residents that it could provide mortgage loan modifications; and

**WHEREAS**, Pennsylvania consumers responded to the mail solicitations and applied for a loan modification from Respondents, and paid advance fees for the service; and

**WHEREAS**, the Department received multiple consumer complaints from Pennsylvania consumers regarding Respondents because they failed to provide the promised services and refused to refund the fees paid; and

**WHEREAS**, by offering mortgage loan modifications to Pennsylvania consumers, Respondents engaged in the "mortgage loan business" as defined in the Mortgage Licensing Act without a mortgage broker license or mortgage originator licenses in violation of the Mortgage Licensing Act, 7 Pa. C.S. § 6111; and

**WHEREAS**, by collecting advanced fees from Pennsylvania consumers, Respondents engaged in the "mortgage loan business" as defined in the Mortgage Licensing Act without a mortgage broker license or mortgage originator licenses in violation of the Mortgage Licensing Act, 7 Pa. C.S. § 6111 and without the required \$100,000 surety bond required by the Mortgage Licensing Act, 7 Pa. C.S. § 6131(d)(1); and

**WHEREAS**, on November 15, 2010, the Federal Trade Commission obtained a temporary restraining order from the United States District Court for the District of Maryland, Case No. JFM 10 CV 3214, against Respondents whereby Respondents assets were frozen, and a temporary receiver appointed; and

**WHEREAS**, the action initiated by the Federal Trade Commission is an ongoing action intended to provide relief to injured consumers and prevent further harm to the public by restraining Respondents from continuing their activities and practices that are in violation of the rules of the Federal Trade Commission; and

**WHEREAS**, section 6138(a)(4) of the Mortgage Licensing Act provides the Department with authority to issue orders as may be necessary for the proper conduct of the mortgage loan business and the enforcement of the Mortgage Licensing Act, 7 Pa. C.S. § 6138(a)(4); and

**WHEREAS**, it is necessary and proper for the Department to issue an order to prohibit Respondents from engaging in the mortgage business in Pennsylvania in any manner and to publish such an order for the benefit and knowledge of Pennsylvania consumers; and

**WHEREAS**, this order is effective within ten days of the date it is executed below if no petition for hearing is timely filed; and

**AND NOW, THEREFORE**, pursuant to its authority referenced above hereby imposes the following Order:

1. Upon the effective date of this Order, Residential Relief, Silver Lining Services, LLC, John Warren Holderness, jointly and severally, and any and all officers, members, managers, employees, independent contractors or agents of Residential Relief, or any parent, affiliate or subsidiary, shall cease and desist from offering, soliciting, negotiating or providing mortgage loan modifications or otherwise engaging in the mortgage loan business subject to the Mortgage Licensing Act, including, but not limited to, advertising (including website advertising), accepting applications and negotiating mortgage loans and mortgage loan modifications in Pennsylvania or to Pennsylvania consumers.

2. Upon the effective date of this Order, Residential Relief shall cease and desist from collecting any advance fees from any Pennsylvania resident.

8. Reservation of Rights. Nothing in this Order shall prevent the Bureau from taking any further administrative action as deemed necessary including, but not limited to imposing fines pursuant to Section 6140(a) or (b) of the Mortgage Licensing Act or seeking restitution for consumers.

**IT IS SO ORDERED.**

~~Brian Crossland,~~  
Chief of Compliance  
Department of Banking,  
Bureau of Compliance, Investigation and Licensing

3/18/11  
(Date)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING

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: Docket No. : 11 0058 (ENF-ORD)

v.

RESIDENTIAL RELIEF FOUNDATION, LLC;  
SILVER LINING SERVICES, LLC; and  
JAMES WARREN HOLDERNESS  
jointly and severally,  
Respondents

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Order upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code §§ 33.35, 33.36 and 33.37:

BY CERTIFIED AND FIRST CLASS MAIL AND FACSIMILE

Residential Relief Foundation, LLC  
1502 Joh Ave.  
Suite 140  
Baltimore, MD 21227

James Warren Holderness  
1029 North Calvert Street  
Baltimore, MD 21202

Silver Lining Services, LLC  
1029 North Calvert Street,  
Baltimore, MD 21202

Dated this 18<sup>th</sup> day of March, 2011

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Linda Carroll  
Deputy Chief Counsel  
Attorney I.D. # 35868  
Commonwealth of Pennsylvania  
Department of Banking  
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