STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS DIVISION OF CONSUMER SERVICES

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FINAL ORDER – NOREEN CRAMER C-01-153-09-F001 NO. C-01-153-09-FO01

FINAL ORDER

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Respondent.

IN THE MATTER OF DETERMINING

Whether there has been a violation of the Escrow Agent Registration Act of Washington

NOREEN CRAMER,

I. DIRECTOR'S CONSIDERATION

A. <u>Default.</u> This matter has come before the Director of the Department of
Financial Institutions of the State of Washington (Director), through his designee, Consumer Services
Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On November 21, 2008, the
Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of
Charges and Notice of Intention to Enter an Order to Prohibit from Industry (Statement of Charges).
A copy of the Statement of Charges is attached and incorporated into this order by this reference. The
Statement of Charges was accompanied by a cover letter dated December 2, 2008, a Notice of
Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing
for Noreen Cramer. The Department served the Statement of Charges, cover letter dated December 2,
2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
Adjudicative Hearing for Noreen Cramer on Respondent, on December 1, 2008, by First-Class mail
and Federal Express overnight delivery. On December 3, 2008, the documents sent via Federal
Express overnight delivery were delivered and signed for by Respondent Cramer. The documents sent

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

via First-Class mail were not returned to the Department by the United States Post Office as undeliverable.

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

- B. Record Presented. The record presented to the Director's designee for her review and for entry of a final decision included the Statement of Charges, cover letter dated December 2, 2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Noreen Cramer, with documentation of service;
- C. <u>Factual Findings and Grounds For Order</u>. Pursuant to RCW 34.05.440(1), the Director's designee hereby adopts the Statement of Charges, which is attached hereto.

II. <u>FINAL ORDER</u>

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

- A. <u>IT IS HEREBY ORDERED</u>, that Respondent Noreen Cramer is prohibited from participating in the conduct of the affairs of any escrow agent subject to licensure by the Director or exempt from licensing under the Act in any capacity.
- B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten days of service of the Final Order upon Respondent. The Petition

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for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

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

- C. <u>Stay of Order</u>. The Director's designee has determined not to consider a Petition to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.
- D. <u>Judicial Review</u>. Respondent has the right to petition the superior court for judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.
- E. <u>Service.</u> For purposes of filing a Petition for Reconsideration or a Petition for Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached hereto.

DATED this

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DEPARTMENT OF FINANCIAL INSTITUTIONS

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DIVISION OF CONSUMER SERVICES

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STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS **DIVISION OF CONSUMER SERVICES**

3 IN THE MATTER OF DETERMINING Whether there has been a violation of the 4 Escrow Agent Registration Act of Washington by:

NOREEN CRAMER,

NO. C-01-153-08-SC02

STATEMENT OF CHARGES and NOTICE OF INTENT TO PROHIBIT FROM INDUSTRY

Respondent.

INTRODUCTION

Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions (Director) is responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (the Act). After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680G-020, and based upon the facts available as of the date of this document, the Director, through his designee, Deborah Bortner, Division Director, Division of Consumer Services, institutes this proceeding and finds as follows:

FACTUAL ALLEGATIONS

- 1.1 Respondent. Noreen Cramer (Respondent Cramer) was an employee of Alta Escrow, a licensed Escrow Agent, from at least May 1, 2000, through December 4, 2000. Respondent Cramer was licensed by the Department as an Escrow Officer on May 20, 2002. Respondent Cramer's license was cancelled on January 14, 2005.
- Theft of Money. On August 19, 2003, Respondent Cramer was convicted in the Superior Court of Washington for King County in cause no. 03-C-06199-5 of seven counts of Theft in the First Degree, stemming from her activities as an employee of Alta Escrow.
- 1.3 **On-Going Investigation.** The Department's investigation into the alleged violations of the Act by Respondent Cramer continues to date.

STATEMENT OF CHARGES C-01-153-08-SC02

Noreen Cramer

DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services 150 Israel Rd SW PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703

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II. GROUNDS FOR ENTRY OF ORDER

2.1 Prohibited Practices. Based on the factual allegations set forth in Section I above, Respondent is in apparent violation of RCW 18.44.301(3) for obtaining property by fraud by committing theft of money from Alta Escrow.

III. AUTHORITY TO IMPOSE SANCTIONS

3.1 Authority to Prohibit from the Industry. Pursuant to RCW 18.44.430, in addition to or in lieu of license denial the Director may remove and/or prohibit from participation in the conduct of the affairs of a licensed escrow agent, any officer, controlling person, director, employee, or licensed escrow officer for any violation of the Act.

IV. NOTICE OF INTENTION TO ENTER ORDER

Respondent's violations of the provisions of chapter 18.44 RCW as set forth in the above Factual Allegations and Grounds For Entry Of Order constitute a basis for the entry of an Order under RCW 18.44.410, RCW 18.44.430, RCW 18.44.301, and WAC 208-680G-030 which authorize the Director to enforce all laws, rules, and regulations related to the registration of escrow agents and licensing of escrow officers. Therefore, it is the Director's intention to ORDER that:

4.1 That Respondent Noreen Cramer be prohibited from participating in the affairs of any company licensed by the Department under the Escrow Agent Registration Act (Act) or exempt from licensing under the Act, in any capacity.

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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intent to Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 18.44.410 and RCW 18.44.430, and is subject to the provisions of chapter 34.05 RCW. Respondent may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

DATED this 2 | St day of November, 2008.

BORAH BORTNER

Director

Division of Consumer Services Department of Financial Institutions

Presented by:

STEVEN C. SHERMAN Financial Legal Examiner

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JAMES R. BRUSSELBACK

Enforcement Chief

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