

Terms Completed

ORDER SUMMARY – Case Number: C-04-043

Name(s): Martin Eugene Francis

Order Number: C-04-043-05-CO01

Effective Date: July 24, 2005

License Number: DFI: 22849 (former DB of Financial Center Mortgage & Investments LLC)

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)
If applicable, you must specifically note the ending dates of terms.

License Effect: None

Not Apply Until: After February 24, 2011

Not Eligible Until: _____

Prohibition/Ban Until: From participating in the conduct of the affairs of any mortgage broker licensed by DFI in any capacity through February 24, 2011

Investigation Costs	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments: _____

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

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IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

NO. C-04-043-05-CO01

MARTIN E. FRANCIS, Designated Broker for
FINANCIAL CENTER MORTGAGES &
INVESTMENTS, LLC

CONSENT ORDER

Respondents.

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COMES NOW the Director of the Department of Financial Institutions (Director), through his designee
Chuck Cross, Division Director, Division of Consumer Services, and Martin E. Francis (Respondent), and finding
that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this
Consent Order. This Consent Order is entered pursuant to chapter 19.146 of Revised Code of Washington
(RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent
have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-04-043-04-SC01
(Statement of Charges), entered April 8, 2004, (copy attached hereto). Pursuant to chapter 19.146 RCW, the
Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent
hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the
above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties
intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
activities discussed herein.

CONSENT ORDER

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8795

1 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a hearing
2 before an administrative law judge, and that he has waived his right to a hearing and any and all administrative and
3 judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly, Respondent
4 agrees to withdraw his appeal and to inform the Office of Administrative Hearings in writing of his withdrawal.

5 **C. Prohibition from Industry.** It is AGREED that, from the date of entry of this Consent Order
6 through February 24, 2011, Respondent is prohibited from participating in the conduct of the affairs of any
7 mortgage broker licensed by the Department in any capacity, including but not limited to: (1) any financial
8 capacity whether active or passive or (2) as an officer, director, principal, designated broker, employee, or loan
9 originator.

10 **D. Application for Mortgage Broker License.** It is AGREED that Respondent shall not apply to the
11 Department for a mortgage broker license under any name at any time through February 24, 2011. It is further
12 AGREED that, should Respondent apply to the Department for a mortgage broker license after February 24, 2011,
13 Respondent shall be required to meet any and all application requirements in effect at that time.

14 **E. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to abide
15 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the
16 event of such legal action, Respondent may be responsible to reimburse the Director for the cost incurred in
17 pursuing such action, including but not limited to, attorney fees.

18 **F. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily entered into
19 this Consent Order, which is effective when signed by the Director's designee.

20 **G. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read this Consent
21 Order in its entirety and fully understands and agrees to all of the same.

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RESPONDENT:

Martin E. Francis

Date

Christopher R. Ambrose
Christopher R. Ambrose, WSBA No. 26237
Attorney at Law
Attorney for Respondent

7-22-05
Date

DO NOT WRITE BELOW THIS LINE

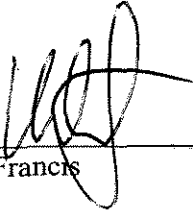
THIS ORDER ENTERED THIS 22nd DAY OF July, 2005.



[Signature]

CHUCK CROSS
Director
Division of Consumer Services
Department of Financial Institutions

1 **RESPONDENT:**

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4 Martin E. Francis

7/22/05
Date

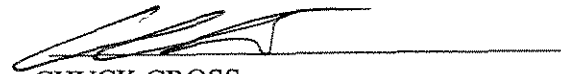
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7 Christopher R. Ambrose, WSBA No. 26237
8 Attorney at Law
9 Attorney for Respondent

Date

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11 **DO NOT WRITE BELOW THIS LINE**

12 THIS ORDER ENTERED THIS 24th DAY OF July, 2005.





CHUCK CROSS
Director
Division of Consumer Services
Department of Financial Institutions

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

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IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

NO. C-04-043-04-SC01

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MARTIN E. FRANCIS, Designated Broker for
FINANCIAL CENTER MORTGAGES &
INVESTMENTS, LLC

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO REMOVE FROM OFFICE
AND PROHIBIT FROM INDUSTRY

Respondent.

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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"). The referenced statutes (RCW) and rules (WAC) are attached, in pertinent part. After having conducted an investigation pursuant to RCW 19.146.235, and based upon the facts available as of March 25, 2004 the Director institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondent Martin E. Francis ("Respondent") was named Designated Broker for Financial Center Mortgages & Investments, Inc. ("FCMI"), on December 20, 2001. Respondent has continued as Designated Broker to date. FCMI was issued a license by the Department of Financial Institutions of the State of Washington ("Department") to conduct the business of Mortgage Broker as a corporation named "Financial Center Mortgages & Investments, Inc." on December 20, 2001. FCMI notified the Department of a change in name and the conversion to a Limited Liability Corporation by Amendment Application dated February 19, 2004.

1.2 Conviction of a Felony: On October 30, 2003, Respondent pled guilty to one count of violating 18 USC 1956(a)(1)(B)(i) and (3) (Money Laundering and Aiding and Assisting an Offender) in the United States

1 District Court for the District of Oregon. On February 24, 2004, Respondent was sentenced to fifteen (15)
2 months in prison and ordered to pay a fine of \$25,000.00 and a special assessment of \$100.00.

3 **1.3 On-Going Investigation:** The Department's investigation into the alleged violations of the Act by
4 Respondent continues to date.

5 **II. GROUNDS FOR ENTRY OF ORDER**

6 **2.1 Authority to Prohibit from the Industry:** Pursuant to RCW 19.146.220(2)(e)(iii) and WAC 208-660-
7 160(4), the Director may prohibit from participation in the conduct of the affairs of a licensed mortgage broker,
8 any officer, principal, employee, or loan originator of any licensed mortgage broker or any person subject to
9 licensing under the Act for conviction of a gross misdemeanor involving dishonesty or financial misconduct or
10 a felony after obtaining a license.

11 **III. NOTICE OF INTENTION TO ENTER ORDER**

12 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
13 in the above Factual Allegations and Grounds for Entry of Order, constitute a basis for the entry of an Order under
14 RCW 19.146.220, RCW 19.146.221 and RCW 19.146.223. Therefore, it is the Director's intention to ORDER
15 that:

- 16 3.1 Respondent Martin E. Francis be removed as Designated Broker of Financial Center Mortgages &
Investments, LLC; and
- 17 3.2 Respondent Martin E. Francis be prohibited from participation in the conduct of the affairs of any
licensed mortgage broker, in any manner, for a period of ten (10) years.

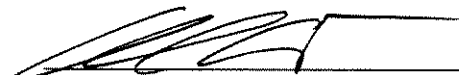
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IV. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Remove from Office and Prohibit from Industry is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). 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 and Notice of Intention to Enter an Order to Remove from Office and Prohibit from Industry.

Dated this 8th day of April, 2004.


CHUCK CROSS
Acting Director and Enforcement Chief
Division of Consumer Services
Department of Financial Institutions

Presented by:


Mark T. Olson
Financial Examiner

