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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

NO. C-05-175-06-CO02

OCEAN WEST ENTERPRISES, INC., d/b/a  
OCEAN WEST FUNDING, and MARSHALL  
STEWART, President and Owner, and DARYL  
MEDDINGS, Executive Vice President and Owner,

CONSENT ORDER  
BETWEEN THE DEPARTMENT  
AND **DARYL MEDDINGS**

Respondents.

9 COMES NOW the Director of the Department of Financial Institutions (Director), through his designee  
10 Chuck Cross, Division Director, Division of Consumer Services, and Daryl Meddings (Respondent Meddings),  
11 and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the  
12 entry of this Consent Order. This Consent Order is entered pursuant to chapter 31.04 of the Revised Code of  
13 Washington (RCW) and RCW 34.05.060 of the Administrative Procedure Act based on the following:

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**AGREEMENT AND ORDER**

16 The Department of Financial Institutions, Division of Consumer Services (Department), and Respondent  
17 Meddings have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-05-175-  
18 06-SC01 (Statement of Charges), entered February 6, 2006 (copy attached hereto). Pursuant to chapter 31.04  
19 RCW, the Consumer Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent  
20 Meddings hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised  
21 in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The  
22 parties intend this Consent Order to fully resolve the Statement of Charges.

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CONSENT ORDER  
BETWEEN THE DEPARTMENT  
AND **DARYL MEDDINGS**  
C-05-175-06-CO02

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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 Based upon the foregoing:

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

4       B. **Waiver of Hearing.** It is AGREED that Respondent Meddings has been informed of the right to a  
5 hearing before an administrative law judge, and that he has waived his right to a hearing and any and all  
6 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.

7 Accordingly, Respondent Meddings agrees to withdraw his appeal and to inform the Office of Administrative  
8 Hearings in writing of his withdrawal.

9       C. **Ownership.** Respondent Meddings represents that he has not had any ownership interest in  
10 Respondent Ocean West Enterprises, Inc. d/b/a Ocean West Funding since 2004, when he sold the entirety of his  
11 interest to Consumer Direct of America (CDA). Respondent Meddings further represents that following the  
12 sale of his interest, he renewed his employment agreement with Ocean West to continue in his position as  
13 Executive Vice President. Respondent Meddings further represents that he no longer had the authority to  
14 maintain the surety bond at the time the Department was notified of its pending cancellation.

15       D. **Declaration.** It is AGREED that Respondent Meddings provided the Department with a signed  
16 declaration stating that has not been an owner of Respondent Ocean West Enterprises, Inc. d/b/a Ocean West  
17 Funding since 2004. It is further AGREED that a true and correct copy of the same declaration is attached hereto  
18 and incorporated by this reference as though fully set forth herein.

19       E. **Consent to Be Bound By Order.** It is AGREED that the parties shall be bound by the terms and  
20 conditions of this Consent Order as set forth herein.

21       F. **Authority of the Department.** It is AGREED that nothing in this Consent Order shall be construed  
22 as preventing the Department from fully exercising its authority and enforcing any provision of Title 31 Revised  
23 Code of Washington and Title 208 of the Washington Administrative Code.

1           **G. Authority to Execute Order.** It is AGREED that the undersigned have represented and warranted  
2 that they have the full power and right to execute this Consent Order.

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

7           **I. Participation in the Industry.** Respondent Meddings REPRESENTS that, as of the date of entry of  
8 this Consent Order, he is not participating in the consumer loan or mortgage broker industry in Washington  
9 requiring licensure.

10           **J. Full Compliance.** Respondent Meddings AGREES that, in the future, should he wish to participate  
11 in the consumer loan or mortgage broker industry in Washington in any capacity requiring licensure, he shall fully  
12 and completely comply with the Consumer Loan Act and the rules adopted thereunder, the Mortgage Broker  
13 Practices Act and the rules adopted thereunder, and any and all other relevant statutes and regulations in place at  
14 that time.

15           **K. Future Applications.** It is AGREED that the circumstances giving rise to the issuance of the above-  
16 referenced Statement of Charges will not be considered by the Department in the assessment of any future  
17 application for consumer loan or mortgage broker license in the State of Washington, in the event Respondent  
18 Meddings wishes to pursue such application.

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

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

**RESPONDENT:**

**DARYL MEDDINGS**

*Daryl Meddings*  
\_\_\_\_\_  
Daryl Meddings, Individually

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 16 DAY OF <sup>November</sup> ~~OCTOBER~~, 2006.



*Chuck Cross*  
\_\_\_\_\_  
CHUCK CROSS

Director  
Division of Consumer Services  
Department of Financial Institutions

STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

OCEAN WEST ENTERPRISES, INC., d/b/a  
OCEAN WEST FUNDING, and MARSHALL  
STEWART, President and Owner, and DARYL  
MEDDINGS, Executive Vice President and Owner,

Respondents.

NO. C-05-175-06-CO02

DECLARATION OF  
DARYL MEDDINGS

I, Daryl Meddings, declare:

1. I am above the age of eighteen and based upon my personal knowledge am competent to testify to the facts as stated in this declaration.

2. I make this declaration in support of, and to justify the entry of, a Consent Order by the Department of Financial Institutions (Department) to resolve this matter.

3. I am a former owner and former Executive Vice President of Ocean West Enterprises, Inc., d/b/a Ocean West Funding (Ocean West). In 2004, I sold my entire ownership interest in Ocean West to Consumer Direct of America (CDA). At that time, I renewed my employment agreement with Ocean West to continue in my position as Executive Vice President.

4. Shortly after I renewed my employment with Ocean West, the responsibility of maintaining the surety bond for Ocean West was transferred to a CDA employee. I no longer had any control or authority to renew the surety bond, obtain a replacement bond, or inform the Department of any bond cancellations. At the time the Department received notice that the surety bond was going to be cancelled, most of Ocean West's business operations had been usurped by CDA and transferred to Las Vegas, Nevada. My office remained in Tustin, California.

5. At least by May 2005, all accounting operations had been transferred to the CDA office in Las Vegas. At least by May 2005, most of the Ocean West's mail was being sent to the Las Vegas Office.

6. My employment with Ocean West has since ceased.

DECLARATION OF  
DARYL MEDDINGS

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

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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and that I have read and understand all of the above.

DATED this 30<sup>th</sup> day of OCT., 2006, in TRABUCO CYN, CALIFORNIA  
City State

  
Signature of Daryl Meddings

DARYL MEDDINGS  
Print Name

949-766-6184  
Phone Number

DECLARATION OF  
DARYL MEDDINGS

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

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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

NO. C-05-175-06-SC01

OCEAN WEST ENTERPRISES, INC., dba  
OCEAN WEST FUNDING, and MARSHALL  
STEWART, President and Owner, and DARYL  
MEDDINGS, Executive Vice President and  
Owner,

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
AN ORDER TO REVOKE LICENSE, IMPOSE FINE,  
AND COLLECT INVESTIGATION FEE

Respondents.

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**INTRODUCTION**

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.145, and based upon the facts available as of February 6, 2006, the Director institutes this proceeding and finds as follows:

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**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

A. **Ocean West Enterprises, Inc., dba Ocean West Funding** (Respondent Ocean West) was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a Consumer Loan Company on December 4, 1997, and has continued to be licensed to date.

B. **Marshall Stewart** (Respondent Stewart) is President and Owner of Respondent Ocean West.

C. **Daryl Meddings** (Respondent Meddings) is Executive Vice President and Owner of Respondent Ocean West.

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**1.2 Failure to Maintain Bond.** On June 22, 2005, the Department received notice from Travelers Casualty and Surety Company of America that Respondent Ocean West's surety bond would be cancelled

1 effective August 1, 2005. To date, Respondents have failed to notify the Department of the cancellation of the  
2 surety bond, and have failed to provide the required surety bond or an approved alternative.

3 **1.3 Failure to Respond to Directive.** On June 22, 2005, the Department served a directive on  
4 Respondents via first class mail. This directive was not returned. The directive required Respondents to  
5 provide the Department with a replacement bond in the appropriate amount. On June 22, 2005, the Department  
6 also successfully sent correspondence to Respondents by facsimile notifying Respondents of the cancellation of  
7 Respondent Ocean West's surety bond. To date, the Department has not received a response to any of the  
8 above correspondence.

9 **1.4 On-Going Investigation:** The Department's investigation into the alleged violations of the Act by  
10 Respondents continues to date.

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

12 **2.1 Requirement to Maintain Surety Bond:** Based on the Factual Allegations set forth in Section I  
13 above, Respondents are in apparent violation of RCW 31.04.045(3) and WAC 208-620-030(1) for failing to file  
14 and maintain a surety bond or approved alternative with the Director.

15 **2.2 Authority to Charge Examination and Investigation Fees:** Pursuant to RCW 31.04.145(3), WAC  
16 208-620-180(1), WAC 208-620-190(2) and WAC 208-620-191, every licensee examined or investigated by the  
17 Director or the Director's designee shall pay for the cost of the examination or investigation, calculated at the  
18 rate of sixty-nine dollars and one cent (\$69.01) per staff hour.

19 **2.3 Authority to Revoke License:** Pursuant to RCW 31.04.093(3)(a) and (b), the Director may revoke a  
20 license if a licensee fails maintain in effect the required bond or permitted substitute, fails to comply with any  
21 specific order or demand of the Director, violates any provision of the Act or any rule adopted under the Act.  
22 Pursuant to RCW 31.04.093(3)(c), the Director may revoke a license if a fact or condition exists that, if it had  
23 existed at the time of the original application for the license, clearly would have allowed the director to deny the  
24 application for the original license.

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1 **2.4 Authority to Impose Fine:** Pursuant to RCW 31.04.093(4), the Director may impose fines of up to one  
2 hundred dollars per day upon the licensee for any violation of the Act or failure to comply with any order or  
3 subpoena issued by the Director under the Act.

4  
5 **III. NOTICE OF INTENTION TO ENTER ORDER**

6 Respondents' violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in  
7 the above Factual Allegations and Grounds for Entry of Order, constitute a basis for the entry of an Order under  
8 RCW 31.04.093, RCW 31.04.165 and RCW 31.04.205. Therefore, it is the Director's intention to ORDER that:

- 9  
10 **3.1** Respondent Ocean West Enterprises, Inc., dba Ocean West Funding's license to conduct the business of a  
consumer loan company be revoked; and
- 11 **3.2** Respondents Ocean West Enterprises, Inc., dba Ocean West Funding, Respondent Marshall Stewart, and  
Respondent Daryl Meddings jointly and severally pay a fine of \$3,750.00 for:  
12 **a.** Violating RCW 31.04.045, calculated at \$50 per day for 30 days; and  
**b.** Failing to comply with a directive of the Director, calculated at \$75 per day for 30 days.
- 13 **3.3** Respondents Ocean West Enterprises, Inc., dba Ocean West Funding, Respondent Marshall Stewart, and  
Respondent Daryl Meddings jointly and severally pay an investigation fee in the amount of \$224.28,  
14 calculated at \$69.01 per hour for the three and one quarter (3.25) staff hours devoted to the investigation;  
15 and
- 16 **3.4** Respondents maintain records in compliance with the Act and provide the Director with the location of the  
books, records and other information relating to Respondent Ocean West Enterprises, Inc., dba Ocean West  
17 Funding's consumer loan company business, 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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**IV. AUTHORITY AND PROCEDURE**

This Statement of Charges and Notice of Intention to Enter an Order to Revoke Consumer Loan License, Impose Fine, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW 31.04.202 and RCW 31.04.205, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondents 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 6th day of February, 2006.

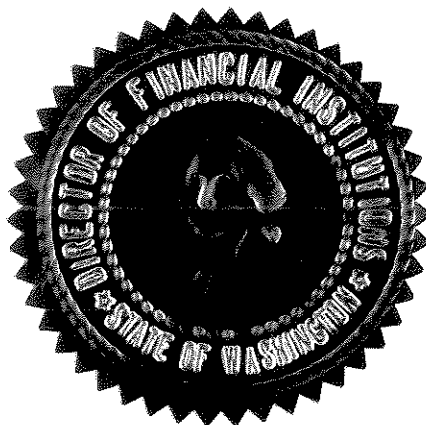


CHUCK CROSS  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:



RAYNE TRONSET-MOORE  
Financial Legal Examiner



Approved by:



JAMES R. BRUSSELBACK  
Enforcement Chief

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

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

C-05-175-06-SC01

OCEAN WEST ENTERPRISES, INC., dba  
OCEAN WEST FUNDING, and MARSHALL  
STEWART, President and Owner, and DARYL  
MEDDINGS, Executive Vice President and  
Owner,  
Respondents.

NOTICE OF OPPORTUNITY TO DEFEND  
AND OPPORTUNITY FOR HEARING

THE STATE OF WASHINGTON TO:

Ocean West Enterprises, Inc. dba Ocean West Funding  
Marshall Stewart  
Daryl Meddings

YOU ARE HEREBY NOTIFIED that a STATEMENT OF CHARGES has been filed by the Department  
of Financial Institutions, a true and correct copy of which is attached and made a part hereof.

YOU ARE HEREBY NOTIFIED that you may file an application for an adjudicative hearing before the  
Washington State Department of Financial Institutions on the Statement of Charges. Service of this notice is  
deemed complete upon deposit in the United States mail. YOUR APPLICATION MUST BE RECEIVED BY  
THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS FROM THE DATE  
YOU RECEIVED THIS NOTICE. If you demand a hearing, you will be notified of the time and place for the  
hearing at least seven (7) days in advance of the hearing date.

At the hearing, you may appear personally, and by counsel, if you desire. The hearing will be as informal  
as is practical within the requirements of the Administrative Procedure Act (see chapter 34.05 RCW). The hearing  
will be recorded. The primary concern will be getting to the truth of the matter insofar as the Statement of Charges  
is concerned. Technical rules of evidence will not be binding at the hearing except for the rules of privilege  
recognized by law. You have the right to present evidence and witnesses in your own behalf, and to cross-examine  
those witnesses presented in support of the Statement of Charges. You may require the attendance of witnesses by

1 subpoena. If you are limited English- speaking or hearing impaired, you have the right to have an interpreter  
2 appointed at no cost to you, as discussed below.

3 INTERPRETER AVAILABILITY. If you or a witness for you is a person who, because of non-English-  
4 speaking cultural background, cannot readily speak or understand the English language, or if you or a witness for  
5 you is a person who, because of a hearing impairment or speech defect, cannot readily understand or communicate  
6 in spoken language, including persons who are deaf, deaf and blind, or hard of hearing, AND YOU NEED AN  
7 INTERPRETER, then a qualified interpreter will be appointed at no cost to you or to the witness. You may request  
8 the appointment of a qualified interpreter by indicating your request on the attached Application for Adjudicative  
9 Hearing form.

10 YOU ARE FURTHER NOTIFIED that if the Department of Financial Institutions does not RECEIVE the  
11 Application for Adjudicative Hearing form within twenty (20) days from the date you received this notice, this will  
12 constitute a waiver of your right to a hearing and the Director will find that you do not contest the allegations of the  
13 Statement of Charges. Upon such a finding by the Director a final order will be immediately entered disposing of  
14 this matter as described in the Statement of Charges. If you desire a hearing in this matter, please return the  
15 attached Application for Adjudicative Hearing to:

16 Department of Financial Institutions, Division of Consumer Services  
17 Attn: Steven C. Sherman  
18 PO Box 41200  
Olympia, Washington 98504-1200

19 Dated this 10th day of February 2006.



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23 CHUCK CROSS  
24 Director  
25 Division of Consumer Services  
Department of Financial Institutions