

TERMS COMPLETE

FINAL ORDER SUMMARY – Case Number: C-05-222

Name(s) Joey Theodore Beebe

C-05-022-09-FO01

Order Number

Effective Date

48156

License Number

(Revoked, suspended, stayed, application denied or withdrawn)
If applicable, you must specifically note the ending dates of terms.

License Effect

Deny

Not Apply until

April 10, 2013

Prohibition/Ban until

April 9, 2013

Investigation Costs

\$ 0	Due	Paid	Date
		Y N	

Assessment(s)

\$ 0	Due	Paid	Date
		Y N	

Monetary Penalty

\$ 0	Due	Paid	Date
		Y N	

Other

Special Instructions

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS**

IN THE MATTER OF INVESTIGATING
the Loan Originator License Application under the
Mortgage Broker Practices Act of Washington by:

NO. C-05-222-09-FO01

JOEY THEODORE BEEBE, aka JOSEPH BEEBE,
aka JOE BEEBE,

FINAL ORDER

Respondent.

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I. DIRECTOR'S CONSIDERATION

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A. Procedural History. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), pursuant to RCW 34.05.440(2). On November 4, 2008, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and 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 November 7, 2008, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing. The Department served the Statement of Charges, cover letter dated November 7, 2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing on Respondent on November 7, 2008 by First Class mail and Federal Express overnight delivery.

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On November 21, 2008, Respondent filed an Application for Adjudicative Hearing. On December 5, 2008, the Department made a request to the Office of Administrative Hearings (OAH) to assign an Administrative Law Judge (ALJ) to schedule and conduct a hearing on the Statement of Charges. On June 25, 2009, ALJ Jill Geary (ALG Geary) issued a Notice of Prehearing Telephone

1 Conference scheduled for July 2, 2009, at 11:00 a.m. That Notice contained the following statement:
2 “If you fail to appear or participate in the pre-hearing conference, hearing, or any other scheduled stage
3 of these proceedings, you may lose your right to a hearing as described in RCW 34.05.440.” On July
4 21, 2009, ALJ Geary issued an Order Continuing the Prehearing Conference scheduling a prehearing
5 conference on August 20, 2009 at 10:00 a.m. That Order contained the following notice to the parties:
6 “A party who fails to appear or participate in a hearing or other state of an adjudicative proceeding
7 may be held in default in accordance with RCW 34.05.440.”
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9 On August 20, 2009, the prehearing conference was convened by ALJ Geary at 10:00 a.m.
10 Respondent failed to appear and ALJ Geary was unable to contact Respondent at the last telephone
11 number provided by Respondent. The Department moved for an order of default based on
12 Respondent’s failure to appear. On September 10, 2009, ALJ Geary issued an Order of Default
13 dismissing Respondent’s appeal and affirming the Statement of Charges. On September 10, 2009,
14 ALJ Geary sent the Order of Default to the address in Respondent’s Applications for Adjudicative
15 Hearing.

16 Pursuant to RCW 34.05.440(3), Respondent had seven (7) days from the date of service of
17 the Order of Default and Initial Order to file a written motion with OAH requesting that the Order of
18 Default and Initial Order be vacated, and stating the grounds relied upon. Respondent did not make
19 a request to vacate during the statutory period. Pursuant to RCW 34.05.464 and WAC 10-08-211,
20 Respondent had twenty (20) days from the date of service of the Order of Default and Initial Order
21 to file a Petition for Review of the Order of Default and Initial Order with the Director. Respondent
22 did not file a Petition for Review during the statutory period.
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1 B. Record Presented. The record presented to the Director for his review and for entry of
2 a final decision included the following:

- 3 1. Statement of Charges, cover letter dated November 7, 2008, and Notice of
4 Opportunity to Defend and Opportunity for Hearing, with documentation of service;
- 5 2. Application for Adjudicative Hearing;
- 6 3. Request to OAH for Assignment of Administrative Law Judge;
- 7 4. Notice of Prehearing Telephone Conference, with documentation of service;
- 8 5. Order Continuing the Prehearing Conference, with documentation of service; and
- 9 6. Order of Default dated September 10, 2009, with documentation of service.

10 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(2), the
11 Director hereby adopts the Statement of Charges, which is attached hereto.

12 II. FINAL ORDER

13 Based upon the foregoing, and the Director having considered the record and being
14 otherwise fully advised, NOW, THEREFORE:

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondent Joey Theodore Beebe's application for a loan originator license is
17 denied; and
- 18 2. Respondent Joey Theodore Beebe is banned from participation in the conduct of the
19 affairs of any mortgage broker subject to licensure by the Director, in any manner,
20 through April 9, 2013.

21 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
22 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
23 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
24 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,

1 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
2 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
3 Reconsideration a prerequisite for seeking judicial review in this matter.

4 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date
5 the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written
6 notice specifying the date by which it will act on a petition.

7 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
8 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
9 Review made under chapter 34.05 RCW and RCW 34.05.550.

10 D. Judicial Review. Respondent has the right to petition the superior court for judicial
11 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing
12 a Petition for Judicial Review, see RCW 34.05.510 and sections following.

13 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
14 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
15 attached hereto.
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17 DATED this 15th day of December 2009.

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19 STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

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22 SCOTT JARVIS
DIRECTOR



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

IN THE MATTER OF INVESTIGATING
the Loan Originator License Application under the
Mortgage Broker Practices Act of Washington by:

JOEY THEODORE BEEBE, aka JOSEPH
BEEBE, aka JOE BEEBE,

Respondent.

NO. C-05-222-08-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO DENY LICENSE APPLICATION
AND PROHIBIT FROM INDUSTRY

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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)¹. After having conducted an investigation pursuant to RCW 19.146.310, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondent Joey Theodore Beebe (Respondent Beebe) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Pacific International, a mortgage broker licensed under the Act. The on-line application was received by the Department on or about April 9, 2008.

1.2 Responses to Application Questions. The "Termination Disclosure" section of the loan originator license application consists of two questions.

Respondent Beebe answered "no" to the following questions on the "Termination Disclosure" section of his loan originator license application:

¹ RCW 19.146 (Amended 2006; Effective January 1, 2007)

- 1 • Have you ever been voluntarily resigned, been discharged, or permitted to resign after
2 allegations were made that accused you of violating statute(s), regulation(s), rule(s), or
3 industry standards of conduct?
- 4 • Have you ever been voluntarily resigned, been discharged, or permitted to resign after
5 allegations were made that accused you of fraud, dishonesty, theft, or the wrongful taking of
6 property?

7 On or about October 4, 2005, All Fund Mortgage terminated Respondent Beebe for what All Fund Mortgage
8 believed to be misrepresentation in loan files originated in his office.

9 Respondent Beebe was obligated by statute to answer questions on the loan originator license
10 application truthfully and to provide the Department with complete details of all events or proceedings.

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

12 **2.1 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
13 Beebe is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making
14 any false statement or willfully making any omission of material fact in connection with any application or any
15 information filed by a licensee in connection with any application, examination or investigation conducted by
16 the Department.

17 **2.2 Requirement to Provide Information on License Application.** Based on the Factual Allegations set
18 forth in Section I above, Respondent Beebe fails to meet the requirements of RCW 19.146.300(1) and (2) and
19 RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form
20 prescribed by the Director.

21 **2.3 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
22 forth in Section I above, Respondent Beebe fails to meet the requirements of RCW 19.146.310(1)(g) and WAC
23 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the confidence of
24 the community and to warrant a belief that the business will be operated honestly and fairly within the purposes
25 of the Act.

1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the
3 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the
4 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by
5 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application
6 of the denial.

7 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5)(a), the Director may issue
8 orders removing from office or prohibiting from participation in the conduct of the affairs of a licensed
9 mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage broker
10 or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9).

11 **IV. 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, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
14 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.
15 Therefore, it is the Director's intention to ORDER that:

16 **4.1** Respondent Joey Theodore Beebe's application for a loan originator license be denied; and

17 **4.2** Respondent Joey Theodore Beebe be prohibited from participation in the conduct of the affairs of any
18 mortgage broker subject to licensure by the Director, in any manner, through April 9, 2013.

19 **V. AUTHORITY AND PROCEDURE**

20 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and
21 Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,
22 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05

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1 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in
2 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
3 Statement of Charges.

4 Dated this 4th day of November, 2008.

[Redacted signature]

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

9 Presented by:

[Redacted signature]

11 DEBORAH PINSONNEAULT
12 Financial Legal Examiner

13 Approved by:

[Redacted signature]

16 FATIMA BATIE
17 Financial Legal Examiner Supervisor

