

Terms Completed

ORDER SUMMARY – Case Number: C-07-225

Name(s): Vicente Alberto Ramos

Order Number: C-07-225-08-CO01

Effective Date: May 29, 2008

License Number:
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: Denial

Not Apply Until:

Not Eligible Until: January 31, 2010

Prohibition/Ban Until: January 31, 2010

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:

1 3. **Prohibition from Industry.** It is AGREED and ORDERED Vicente A. Ramos is prohibited from
2 participation in the conduct of the affairs of any licensed mortgage broker, in any manner, through January 31,
3 2010.

4 4. **Future Application for Loan Originator License.** It is AGREED that the conduct giving rise
5 to the issuance of the above-referenced Final Order will not be considered by the Department in the assessment
6 of any application(s) for a loan originator license in the State of Washington, in the event Vicente A. Ramos
7 wishes to pursue such application subject to the provision of paragraph 3.


8 5. **Dismissal of Petition for Review With Prejudice.** It is AGREED that, upon entry of this Agreed
9 Order, the Washington State Department of Financial Institutions and Vicente A. Ramos, shall jointly request that
10 the Vicente A. Ramos's Petition for Review of the Final Order filed on February 22, 2008 in Thurston County
11 Superior Court, Case No. 08-2-00406-3, be dismissed with prejudice and without assessment of costs to the parties.

12 6. **Authority of the Department.** It is AGREED that nothing in this Agreed Order shall be
13 construed as preventing the Department from fully exercising its authority and enforcing any provision of chapter
14 19.146 Revised Code of Washington and Title 208 of the Washington Administrative Code.


15 7. **Voluntarily Entered.** It is AGREED that Mr. Ramos has voluntarily entered into this Agreed
16 Order, which is effective when signed by the Director.

17 8. **Completely Read, Understood, and Agreed.** It is AGREED that Mr. Ramos has read this
18 Agreed Order in its entirety and fully understands and agrees to all of the same.

19 Signed and Agreed to this 21st day of MAY, 2008.

20 
21 VICENTE A. RAMOS

22 Approved as to Form:
23 STIRBIS & STIRBIS, LLC

24 
25 DAVID A. STIRBIS
WSBA No. 26307
Attorney for Vicente A. Ramos

DO NOT WRITE BELOW THIS LINE

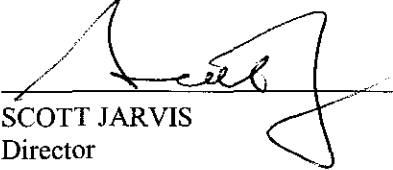
AGREED ORDER

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THIS ORDER ENTERED THIS 20th DAY OF May, 2008.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS



SCOTT JARVIS
Director

AGREED ORDER



State of Washington

DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF:

OAH Docket No. 20007-DFI-0041

VICENTE ALBERTO RAMOS,

DFI No. C-07-225-07-SC01

Respondent.

FINAL DECISION AND ORDER

THIS MATTER having come before SCOTT JARVIS, Director of the Washington State Department of Financial Institutions (hereinafter, "Department"), sitting as Presiding Officer, on the Department's Petition for Review (hereinafter, "Department's Petition") and Respondent's Petition for Review (hereinafter, "Respondent's Petition") from the Initial Decision & Order dated November 8, 2007 (hereinafter, "Initial Order") of Administrative Law Judge Rebekah R. Ross of the Office of Administrative Hearings (hereinafter, "ALJ"); and the Presiding Officer having fully considered the entire record on review, including, without limitation, all pleadings, testimony and recorded oral and written argument before the ALJ, together with the Initial Order, the Department's Petition, the Respondent's Petition and the Department's Reply to Respondent's Petition (hereinafter, "Department's Reply");

NOW, THEREFORE, the Presiding Officer issues the following Final Decision and Order:

1.0 CONSIDERATION

1.1 The Presiding Officer has reviewed the record on review, including the Initial Order, Department's Petition, Respondent's Petition, and Department's Reply, and finds that there is good and sufficient cause to enter a Final Decision and Order modifying the Initial Order as set forth below but confirming it in all other respects.

1.2 The Presiding Officer agrees with and concurs in the Findings of Fact and Conclusions of Law made in the Initial Order, with the *exception* of the following:

1.2.1 Footnote 1 to Finding of Fact No. 3.8 therein is stricken in its entirety.

1.2.2 Conclusion of Law No. 4.1 therein is modified to read, as follows:

1 "The Office of Administrative Hearings has jurisdiction based on Chapter
2 19.146 Revised Code of Washington (RCW); Chapter 34.05 RCW and
3 Title 208-08 Washington Administrative Code (WAC)."

4 1.2.3 Conclusion of Law No. 4.8 is modified to read, as follows:

5 "The next issue is how long the period of prohibition should last. The
6 Department's witness testified that the normal period for conduct of this
7 type is seven years. I have found no mitigation factors. RCW
8 19.146.220(5) is silent as to the length of time that any person should be
9 prohibited from participation in the conduct of the affairs of a licensed
10 mortgage broker. RCW 19.146.223 states:

11 The director shall have the power and broad
12 administrative discretion to administer and interpret the
13 provisions of this chapter to fulfill the intent of the
14 legislature as expressed in RCW 19.146.005.

15 Pursuant to RCW 19.146.220(5) and RCW 19.146.223, the Department
16 has properly exercised its discretion in prohibiting Mr. Ramos's
17 participation in the conduct of the affairs of any licensed mortgage broker
18 through January 31, 2014."

19 1.2.4 Conclusions of Law No. 4.9, 4.10, 4.11, and 4.12, inclusive, are stricken in their
20 entirety.

21 1.3 The Presiding Officer rejects the arguments of Respondent as set forth in Respondent's
22 Petition, for the following reasons:

23 1.3.1 Findings of Fact 3.2 and 4.5 of the Initial Order were not in error, since
24 Respondent was initially charged with the felony of Possessing Stolen Property in the Second
25 Degree, regardless of whether Respondent later pleaded guilty to a gross misdemeanor of
26 Attempted Possession of Stolen Property, based upon the same conduct. Regardless of any reason
27 put forth by the Respondent, he plainly failed to disclose this initial felony charge on his
28 application.

29 1.3.2 Finding of Fact No. 3.5 is not in error for the simple reason that Respondent was
30 deceitful in failing to disclose that he pleaded guilty to a misdemeanor conviction for a crime
31 involving "wrongful taking of property."

32 1.3.3 Finding of Fact No. 3.9 is not erroneous as written, even though Respondent's
33 misdemeanor conviction may have later been vacated.

34 1.3.4 Respondent submitted false statements to the Department concerning his
criminal history in violation of RCW 19.146.0201(8), which the subsequent vacation of his gross
misdemeanor conviction cannot cure. At the time he submitted his loan originator application,

1 Respondent had been convicted of a gross misdemeanor involving dishonesty or financial
2 misconduct within the past 7 years. It was therefore proper for the Department to have denied
3 him a license, pursuant to RCW 19.146.310(1)(d). The Department is further justified in
4 prohibiting Mr. Ramos from participation in the mortgage broker industry, pursuant to
5 RCW 19.146.220(5)(a), for providing false statements concerning his criminal history.

6 1.4 Based upon Conclusion of Law No. 4.8, *as amended in Subparagraph 1.2.3 above*, it is
7 appropriate for the Department to prohibit Respondent from participating in the conduct of the
8 affairs of any licensed mortgage broker, in any manner, through January 31, 2014.

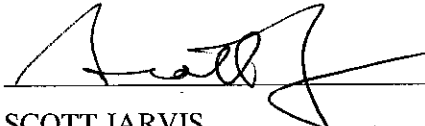
9 2.0 FINAL DECISION AND ORDER

10 For all of the reasons set forth above, IT IS HEREBY ORDERED THAT:

11 2.1 The Findings of Fact and Conclusions of Law as set forth in the Initial Order are
12 confirmed except as set forth above in Paragraph 1.2 of this Final Decision and Order.

13 2.2 The application of Respondent, VICENTE ALBERTO RAMOS, for a loan originator
14 license with the Washington State Department of Financial Institutions is denied, and VICENTE
15 ALBERTO RAMOS is prohibited from participation in the conduct of the affairs of any licensed
16 mortgage broker, in any manner, through and including January 31, 2014.

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18 DATED: January 22nd, 2018

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22 SCOTT JARVIS
23 Director & Presiding Officer
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This is to certify that the above FINAL DECISION & ORDER has been served upon the following parties on January 22, 2008, by depositing a copy of same in the United States mail, postage prepaid.

By: Susan Putzier
Susan Putzier
Executive Administrative Assistant

Vicente Alberto Ramos
3509 Sylvan Drive West
University Place, WA 98466

James Brusselback
Chief of Enforcement
Department of Financial Institutions
Division of Consumer Services
P.O. Box 41200
Olympia WA 98504-0100

**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:

VICENTE ALBERTO RAMOS,

Respondent.

NO. C-07-225-07-SC02

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

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 Vicente Alberto Ramos (Respondent Ramos) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under A+ Mortgage, Inc, a mortgage broker licensed under the Act. The on-line application was received by the Department on or about January 31, 2007.

1.2 Prior Criminal Acts. On February 4, 2002, Respondent Ramos was charged with the crime of Possessing Stolen Property In the Second Degree in Pierce County Superior Court, a felony pursuant to RCW 9A.56.140(a). On or about March 14, 2002, Respondent Ramos pled guilty to Attempted Possession of Stolen

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

1 Property in the Second Degree in Pierce County Superior Court, a Gross Misdemeanor pursuant to RCW
2 9A.28.020, RCW 9A.56.140(1), and RCW 9A.56.160(1)(c).

3 **1.3 Responses to Application Questions.** The "Criminal Disclosure" section of the loan originator license
4 application consists of eight questions, and includes the following instruction:

5 "If the answer to any of the following is "YES", provide complete details of all events or proceedings"
6 Respondent Ramos answered "no" to the following questions on the "Criminal Disclosure" section of his loan
7 originator license application:

- 8 • 2-Have you ever been charged with a felony?
- 9 • 5-Have you ever been convicted of or plead guilty or nolo contendere ("no contest") in a
10 domestic, foreign, or military court to any misdemeanor involving: financial services or a
11 financial services-related business or any fraud, false statements or omissions, theft or any
12 taking of property, bribery, perjury, forgery, counterfeiting, extortion, or a conspiracy to
13 commit any of these offenses?

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

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

17 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,
18 Respondent Ramos fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by
19 having been convicted of a gross misdemeanor involving dishonesty within seven years of the filing of the
20 present application.

21 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
22 Ramos is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making
23 any false statement or willfully making any omission of material fact in connection with any application or any
24 information filed by a licensee in connection with any application, examination or investigation conducted by
25 the Department.

1 **2.3 Requirement to Provide Information on License Application.** Based on the Factual Allegations set
2 forth in Section I above, Respondent Ramos fails to meet the requirements of RCW 19.146.300(1) and (2) and
3 RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form
4 prescribed by the Director.

5 **2.4 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
6 forth in Section I above, Respondent Ramos fails to meet the requirements of RCW 19.146.310(1)(g) and
7 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the
8 confidence of the community and to warrant a belief that the business will be operated honestly and fairly
9 within the purposes of the Act.

10 **III. AUTHORITY TO IMPOSE SANCTIONS**

11 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the
12 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the
13 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by
14 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application
15 of the denial.

16 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5)(a), the Director may issue
17 orders removing from office or prohibiting from participation in the conduct of the affairs of a licensed
18 mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage broker
19 or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9).

20 **IV. NOTICE OF INTENTION TO ENTER ORDER**

21 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
22 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
23 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.
24 Therefore, it is the Director's intention to ORDER that:

25 **4.1** Respondent Vicente Alberto Ramos's application for a loan originator license be denied.

1 4.2 Respondent Vicente Alberto Ramos be prohibited from participation in the conduct of the affairs of any
2 mortgage broker subject to licensure by the Director, in any manner, through January 31, 2014.

3 **V. AUTHORITY AND PROCEDURE**

4 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and
5 Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,
6 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05
7 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in
8 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
9 Statement of Charges.

10 Dated this 6th day of September, 2007.

11 

12 DEBORAH BORTNER
13 Director
14 Division of Consumer Services
15 Department of Financial Institutions

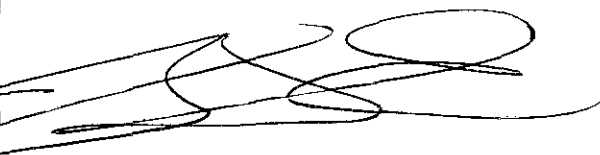
16 Presented by:

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18 CHARLES E. WOODE
19 Financial Legal Examiner
20



21 Approved by:

22 

23 FATIMA BATIE
24 Financial Legal Examiner Supervisor
25

**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:

VICENTE ALBERTO RAMOS,

Respondent.

NO. C-07-225-07-SC01

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

INTRODUCTION

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1.2 Prior Criminal Acts. On or about March 14, 2002, Respondent Ramos pled guilty to Attempted Possession of Stolen Property in the Second Degree in Pierce County Superior Court, a Class C felony pursuant to RCW 9A.56.140(1) and RCW 9A.56.160(1)(c).

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

1 **1.3 Responses to Application Questions.** The "Criminal Disclosure" section of the loan originator license
2 application consists of eight questions, and includes the following instruction:

3 "If the answer to any of the following is "YES", provide complete details of all events or proceedings"
4 Respondent Ramos answered "no" to the following questions on the "Criminal Disclosure" section of his loan
5 originator license application:

- 6 • 1-Have you ever been convicted of or plead guilty or nolo contendere ("no contest") in a
7 domestic, foreign, or military court to any felony? If yes, when and where?
- 8 • 2-Have you ever been charged with any felony?

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

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

12 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,
13 Respondent Ramos fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by
14 having been convicted of a felony within seven years of the filing of the present application.

15 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
16 Ramos is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making
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18 information filed by a licensee in connection with any application, examination or investigation conducted by
19 the Department.

20 **2.3 Requirement to Provide Information on License Application.** Based on the Factual Allegations set
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22 RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form
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24 **2.4 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
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6 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the
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11 orders removing from office or prohibiting from participation in the conduct of the affairs of a licensed
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13 or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9).

14 **IV. NOTICE OF INTENTION TO ENTER ORDER**

15 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
16 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
17 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.
18 Therefore, it is the Director's intention to ORDER that:

19 **4.1** Respondent Vicente Alberto Ramos's application for a loan originator license be denied.

20 **4.2** Respondent Vicente Alberto Ramos be prohibited from participation in the conduct of the affairs of any
21 mortgage broker subject to licensure by the Director, in any manner, through January 31, 2014.

22 **V. AUTHORITY AND PROCEDURE**

23 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and
24 Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,
25 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

1 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
2 Statement of Charges.

3 Dated this 9th day of July, 2007.



A handwritten signature in cursive script, appearing to read "Deborah Bortner".

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

11 Presented by:

A handwritten signature in cursive script, appearing to read "Charles E. Woode".

14 CHARLES E. WOODE
Financial Legal Examiner

16 Approved by:

A handwritten signature in cursive script, appearing to read "Fatima Batie".

19 FATIMA BATIE
20 Financial Legal Examiner Supervisor