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3 **STATE OF WASHINGTON**
4 **DEPARTMENT OF FINANCIAL INSTITUTIONS**
5 **DIVISION OF CONSUMER SERVICES**

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

9 JANE CORDERO DAHLE,
10 Respondent.

NO. C-07-542-08-FO01

FINAL ORDER

11 **I. DIRECTOR'S CONSIDERATION**

12 A. Default. This matter has come before the Director of the Department of
13 Financial Institutions of the State of Washington (Director) pursuant to RCW 34.05.440(2). On
14 December 17, 2007, the Director, through Consumer Services Division Director Deborah Bortner,
15 entered a Statement of Charges and Notice of Intention to Enter an Order to Deny License
16 Application (Statement of Charges). A copy of the Statement of Charges is attached and incorporated
17 into this order by this reference. The Statement of Charges was accompanied by a cover letter dated
18 December 18, 2007, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank
19 Application for Adjudicative Hearing. The Department served the Statement of Charges, cover letter
20 dated December 18, 2007, Notice of Opportunity to Defend and Opportunity for Hearing, and blank
21 Application for Adjudicative Hearing on Respondent on December 18, 2007, by first class mail and
22 Federal Express overnight delivery.

23 On January 18, 2008, Respondent filed an Application for Adjudicative Hearing. On January
24 23, 2008, the Department made a request to the Office of Administrative Hearings (OAH) to assign an

1 Administrative Law Judge (ALJ) to schedule and conduct a hearing on the Statement of Charges. On
2 April 11, 2008, OAH issued a Notice of Assignment of Administrative Law Judge appointing ALJ
3 Vicki J. Toyohara. On April 24, 2008, ALJ Toyohara issued a Notice of Prehearing Conference by
4 Telephone scheduling a prehearing conference on Tuesday, May 6, 2008, at 10:00 a.m. That Order
5 contained the following instruction to the parties: "Parties shall appear by calling locally (206)389-
6 3400 or long-distance (800) 845-8830 **ten minutes before** the time designated above, making
7 adjustment for your time zone." The Order also contained the notice, "If you fail to appear or
8 participate in the pre-hearing conference, hearing, or any other scheduled stage of these proceedings,
9 you may lose your right to a hearing as described in RCW 34.05.440."

11 On May 6, 2008, the prehearing conference was convened by ALJ Toyohara at 10:00 a.m. and
12 Respondent failed to appear. The Department moved for an order of default based on Respondent's
13 failure to appear. On May 19, 2008, ALJ Toyohara issued an Order of Dismissal Appellant Default
14 (Default Order) dismissing Respondent's appeal and sent the Order to the address in Respondent's
15 Application for Adjudicative Hearing.

16 Pursuant to RCW 34.05.440(3), Respondent had seven days from the date of service of the
17 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 a
19 request to vacate during the statutory period. Pursuant to RCW 34.05.464 and WAC 10-08-211,
20 Respondent had twenty days from the date of service of the Order of Default and Initial Order to file a
21 Petition for Review of the Order of Default and Initial Order with the Director. Respondent did not
22 file a Petition for Review during the statutory period.
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1 for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a
2 prerequisite for seeking judicial review in this matter.

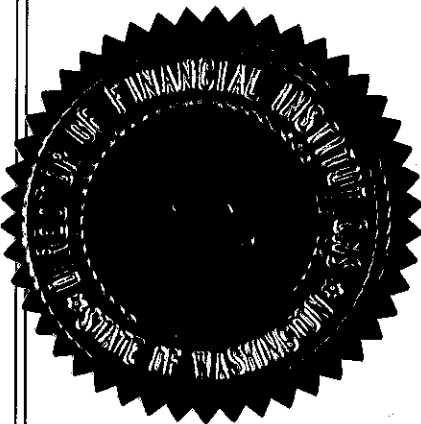
3 A timely Petition for Reconsideration is deemed denied if, within twenty days from the date the
4 petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written
5 notice specifying the date by which it will act on a petition.

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

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

12 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
13 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
14 attached hereto.
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16 DATED this 21st day of July 2008.



18 STATE OF WASHINGTON
19 DEPARTMENT OF FINANCIAL INSTITUTIONS

20
21 Scott J.
22 SCOTT JARVIS
23 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:

JANE CORDERO DAHLE,

Respondent.

NO. C-07-542-07-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO DENY LICENSE APPLICATION

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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:

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I. FACTUAL ALLEGATIONS

1.1 Respondent Jane Cordero Dahle (Respondent Dahle) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under LG Capital Funding, Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about December 30, 2006.

1.2 Federal Tax Liens. On or about July 11, 2007, the United States Department of the Treasury filed a Notice of Tax Lien against Respondent Dahle with the King County Auditor's Office in the amount of \$226,281.26, representing unpaid taxes for the years 1999 through 2004.

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

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II. GROUNDS FOR ENTRY OF ORDER

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

III. AUTHORITY TO IMPOSE SANCTIONS

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

IV. NOTICE OF INTENTION TO ENTER ORDER

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

4.1 Respondent Jane Cordero Dahle's application for a loan originator license be denied.


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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application (Statement of Charges) 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.

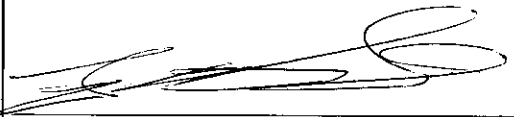
Dated this 17th day of December, 2007.


DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:


STEVEN C. SHERMAN
Financial Legal Examiner

Approved by:


FATIMA BATIE
Financial Legal Examiner Supervisor

