

# Terms Completed

## ORDER SUMMARY – Case Number: C-08-085

Name(s): William Urban Bruch

\_\_\_\_\_

Order Number: C-08-085-08-FO01

Effective Date: June 19, 2008

License Number: DFI: 46169

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)

License Effect: Denial

\_\_\_\_\_

Not Apply Until: \_\_\_\_\_

Not Eligible Until: \_\_\_\_\_

Prohibition/Ban Until: \_\_\_\_\_

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

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8

**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:

NO. C-08-085-08-FO01

WILLIAM URBAN BRUCH,  
Respondent.

FINAL ORDER

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through his designee, Consumer Services Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On May 9, 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 (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 May 12, 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 May 12, 2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing on Respondent on May 12, 2008 by first class mail and Federal Express overnight delivery. On May 14, 2008, the documents sent via Federal Express overnight delivery were delivered. The documents sent via first class mail were not returned to the Department by the United States Postal Service.

1 Respondent did not request an adjudicative hearing within twenty calendar days after the  
2 Department served him with the Notice of Opportunity to Defend and Opportunity for Hearing, as  
3 provided for in WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for her review and  
5 for entry of a final decision included the Statement of Charges, cover letter dated May 12, 2008, Notice of  
6 Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing,  
7 with documentation of service.

8 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the  
9 Director's designee hereby adopts the Statement of Charges, which is attached hereto.  
10

## 11 II. FINAL ORDER

12 Based upon the foregoing, and the Director's designee having considered the record and  
13 being otherwise fully advised, NOW, THEREFORE:

14 A. IT IS HEREBY ORDERED, that:

15 Respondent William Urban Bruch's application for a loan originator license is denied.

16 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
17 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
18 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150  
19 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
20 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
21 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
22 Reconsideration a prerequisite for seeking judicial review in this matter.  
23  
24  
25

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

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

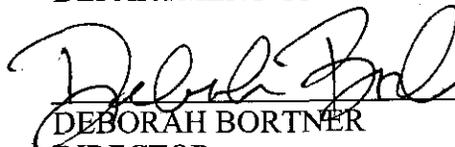
7 D. Judicial Review. Respondent has the right to petition the superior court for judicial  
8 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing  
9 a Petition for Judicial Review, see RCW 34.05.510 and sections following.

10 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for  
11 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
12 attached hereto.  
13

14 DATED this 19<sup>th</sup> day of June, 2008.



15 STATE OF WASHINGTON  
16 DEPARTMENT OF FINANCIAL INSTITUTIONS

17   
18 DEBORAH BORTNER  
19 DIRECTOR  
20 DIVISION OF CONSUMER SERVICES  
21  
22  
23  
24

1  
2  
3  
4  
5  
6  
7  
8  
9

**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:

NO. C-08-085-08-SC01

**WILLIAM URBAN BRUCH,**

Respondent.

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

10  
11  
12  
13  
14  
15  
16

**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)<sup>1</sup>. 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:

17  
18  
19  
20  
21  
22  
23  
24  
25

**I. FACTUAL ALLEGATIONS**

**1.1 Respondent William Urban Bruch (Respondent)** submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Abacus Mortgage, Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about October 9, 2007. On or about December 3, 2007, the Department received a subsequent MU4 form transferring Respondent's relationship to Axia Financial LLC.

**1.2 Excessive Liens or Judgments.** On or about August 5, 1998, a Default Judgment for the Superior Court of the State of Washington for the County of Whatcom, case number 98-2-01077-7 in the amount of \$1,097,231.38 was entered against Respondent. On or about August 14, 1998, a Default Judgment for the Superior Court of the State of Washington for the County of Whatcom, case number 98-2-01166-8 in the

---

<sup>1</sup> RCW 19.146 (Amended 2006; Effective January 1, 2007)

1 amount of \$178,937.70 was entered against Respondent. As of March 10, 2008, a satisfaction for these  
2 judgments had not been filed with Whatcom County.

## 3 **II. GROUNDS FOR ENTRY OF ORDER**

4 **2.1 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set  
5 forth in Section I above, Respondent fails to meet the requirements of RCW 19.146.310(1)(g) and WAC 208-  
6 660-350(2)(a) by failing to demonstrate character and general fitness such as to command the confidence of the  
7 community and to warrant a belief that the business will be operated honestly and fairly within the purposes of  
8 the Act.

9 **2.2 Requirement to Provide Information on License Application.** Based on the Factual Allegations set  
10 forth in Section I above, Respondent fails to meet the requirements of RCW 19.146.300(1) and (2) and RCW  
11 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form prescribed by  
12 the Director.

## 13 **III. AUTHORITY TO IMPOSE SANCTIONS**

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

## 19 **IV. NOTICE OF INTENTION TO ENTER ORDER**

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

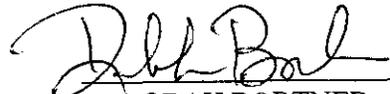
23 Therefore, it is the Director's intention to ORDER that:

24 **4.1** Respondent's application for a loan originator license be denied.  
25

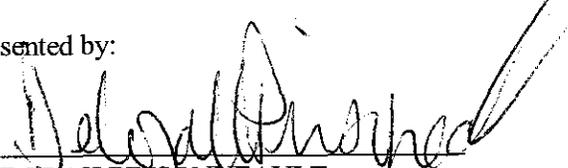
1 **V. AUTHORITY AND PROCEDURE**

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

8 Dated this 9<sup>th</sup> <sup>DB</sup> ~~May~~ day of April, 2008.

10   
11 DEBORAH BORTNER  
12 Director  
13 Division of Consumer Services  
14 Department of Financial Institutions

14 Presented by:

15   
16 DEBORAH PINSONNEAULT  
17 Financial Legal Examiner

18 Approved by:

19   
20 FATIMA BATIE  
21 Financial Legal Examiner Supervisor

