

Terms Completed

ORDER SUMMARY – Case Number: C-08-348

Name(s): Ryan Magarro Braganza

Order Number: C-08-348-09-CO01

Effective Date: October 30, 2009

License Number: DFI: 41370

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)

License Effect: Denial

Not Apply Until: n/a

Not Eligible Until: _____

Prohibition/Ban Until: n/a

Investigation Costs	\$292.80	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 10/28/09
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: _____

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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
Mortgage Broker Practices Act of Washington by:

NO. C-08-348-09-CO01

RYAN MAGARRO BRAGANZA,

CONSENT ORDER

Respondent.

8 COMES NOW the Director of the Department of Financial Institutions (Director), through his designee
9 Deborah Bortner, Division Director, Division of Consumer Services, and Ryan Magarro Branganza (hereinafter
10 Respondent), and finding that the issues raised in the above-captioned matter may be economically and efficiently
11 settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of
12 Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the
13 following:

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AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent
have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-08-348-08-SC01
(Statement of Charges), entered November 4, 2008, (copy attached hereto). Pursuant to chapter 19.146 RCW, the
Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent
hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the
above-captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties
intend this Consent Order to fully resolve the Statement of Charges.

22 Based upon the foregoing:

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

25
CONSENT ORDER
C-08-348-09-CO01
Ryan Magarro Branganza

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

1 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a hearing
2 before an administrative law judge, and that he hereby waives his right to a hearing and any and all administrative
3 and judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly,
4 Respondent, by his signature below, withdraws his appeal to the Office of Administrative Hearings.

5 **C. Application Denial.** It is AGREED that Respondent's loan originator license is denied.

6 **D. Investigation Fee.** It is AGREED that Respondent will pay to the Department an investigation fee of
7 \$292.80 in the form of a cashier's check payable to the "Washington State Treasurer," upon entry of this Consent
8 Order.

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

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

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

17 **RESPONDENT:**
18 **RYAN MAGARRO BRAGANZA**

19 By:

20 

21 Ryan Magarro Braganza
22 Individually

10/22/09
Date

23  3619d

24 Brandon Feldman, WSBA # 36190
25 Attorney at Law
Attorney for Respondent

10/22/09
Date

DO NOT WRITE BELOW THIS LINE

CONSENT ORDER
C-08-348-09-CO01
Ryan Magarro Braganza

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

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THIS ORDER ENTERED THIS 30th DAY OF October, 2009.



DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:



Deborah Pinsonneault
Financial Legal Examiner

Approved by:



Fatima Batie
Financial Legal Examiner Supervisor



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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:

RYAN MAGARRO BRAGANZA,

Respondent.

NO. C-08-348-08-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:

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I. FACTUAL ALLEGATIONS

1.1 Respondent Ryan Magarro Braganza (Respondent Braganza) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Seattle Pacific Mortgage, Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about March 26, 2008.

1.2 Responses to Application Questions. The "Criminal Disclosure" section of the loan originator license application consists of eight questions. Respondent Braganza was not truthful on question number six of the loan originator application.

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

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

1 **1.3 Criminal Conviction.** On or about April 20, 2008, Criminal Complaint No. 08-G080338CC was filed
2 in Grant County District Court charging Respondent Braganza with the following three counts: [REDACTED]

3 [REDACTED]
4 [REDACTED]
5 [REDACTED]. On or about June 17, 2008, Respondent
6 Braganza pleaded guilty to [REDACTED]
7 [REDACTED].

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

9 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,
10 Respondent Braganza fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by
11 having been convicted of a gross misdemeanor involving dishonesty or financial misconduct.

12 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
13 Braganza 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.

15 **2.3 Requirement to Provide Information on License Application.** Based on the Factual Allegations set
16 forth in Section I above, Respondent Braganza fails to meet the requirements of RCW 19.146.300(1) and (2)
17 and RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form
18 prescribed by the Director.

19 **2.4 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
20 forth in Section I above, Respondent Braganza fails to meet the requirements of RCW 19.146.310(1)(g) and
21 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the
22 confidence of the community and to warrant a belief that the business will be operated honestly and fairly
23 within the purposes of the Act.

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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.

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

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 Ryan Magarro Braganza's application for a loan originator license be denied; and
- 4.2** Respondent Ryan Magarro Braganza be prohibited from participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, through March 26, 2015.

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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and Prohibit from Industry (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 4th day of November, 2008.

[Redacted signature]

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

[Redacted signature]

DEBORAH PINSONNEAULT
Financial Legal Examiner



Approved by:

[Redacted signature]

FATIMA BATIE
Financial Legal Examiner Supervisor