



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

COMMUNITY HOME LENDING, INC., and
CURTIS DEAN ORVIK, President, Owner and
Designated Broker,
Respondents.

NO. C-09-030-09-FO02

FINAL ORDER TO CEASE AND DESIST

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 July 28, 2009, the Director, through Consumer Services Division Director Deborah Bortner, entered a Temporary Order to Cease and Desist against Respondents Community Home Lending, Inc. and Curtis Dean Orvik (Temporary Order to Cease and Desist). A copy of the Temporary Order to Cease and Desist is attached and incorporated into this order by this reference. The Temporary Order to Cease and Desist was accompanied by a cover letter dated July 28, 2009, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Curtis Dean Orvik and Community Home Lending, Inc. The Department served the Temporary Order to Cease and Desist, cover letter dated July 28, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Curtis Dean Orvik and Community Home Lending, Inc. on Respondents on July 28, 2009 by First-Class mail and Federal Express overnight delivery. On July 29,

1 2009, the documents sent via Federal Express overnight delivery were delivered. The documents sent
2 via First-Class mail were not returned to the Department by the United States Postal Service.

3 On August 21, 2009, the Department received an Application for Adjudicative Hearing for
4 Respondent Curtis Dean Orvik by telefacsimile. On August 24, 2009, the Department received the
5 original signed Application for Adjudicative Hearing for Respondent Curtis Dean Orvik by First-Class
6 mail postmarked August 21, 2009.

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

10 B. Record Presented. The record presented to the Director's designee for her review and
11 for entry of a final decision included the following:
12

- 13 1. Temporary Order to Cease and Desist, cover letter dated July 28, 2009, Notice of
14 Opportunity to Defend and Opportunity for Hearing, and blank Applications for
15 Adjudicative Hearing for Curtis Dean Orvik and Community Home Lending, Inc.,
with documentation of service;
- 16 2. Application for Adjudicative Hearing for Curtis Dean Orvik.

17 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
18 Director's designee hereby adopts the Temporary Order to Cease and Desist, which is attached hereto.
19

20 II. FINAL ORDER

21 Based upon the foregoing, and the Director's designee having considered the record and
22 being otherwise fully advised, NOW, THEREFORE:
23

24 A. IT IS HEREBY ORDERED, That Respondents Community Home Lending, Inc. and
25 Curtis Dean Orvik shall permanently cease and desist from participating in the conduct of the affairs of

1 any mortgage broker subject to licensure by the Director, in any manner, specifically including, but not
2 limited to originating any residential mortgage loan, assisting with the origination of any residential
3 mortgage loan, and holding himself out as able to assist any person with applying for or obtaining any
4 residential mortgage loan.

5 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a
6 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
7 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
8 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
9 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The
10 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
11 Reconsideration a prerequisite for seeking judicial review in this matter.
12

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

16 C. Stay of Order. The Director's designee has determined not to consider a Petition
17 to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition
18 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.
19

20 D. Judicial Review. Respondents have the right to petition the superior court for
21 judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements
22 for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

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

1 DATED this 3rd day of September, 2009.

2 STATE OF WASHINGTON
3 DEPARTMENT OF FINANCIAL INSTITUTIONS



4 *Deborah Bortner*

5 DEBORAH BORTNER
6 DIRECTOR
7 DIVISION OF CONSUMER SERVICES

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

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

C-09-030-09-TD01

COMMUNITY HOME LENDING, INC., and
CURTIS DEAN ORVIK, President, Owner, and
Designated Broker

TEMPORARY ORDER TO
CEASE AND DESIST

Respondents.

THE STATE OF WASHINGTON TO: COMMUNITY HOME LENDING, INC.
CURTIS DEAN ORVIK

COMES NOW the Director of the Washington State Department of Financial Institutions (Director), by and through his designee Deborah Bortner, Division Director, Division of Consumer Services (designee), and finding that the public is likely to be substantially injured by delay in issuing a cease and desist order, the Director, through his designee, Division of Consumer Services Director Deborah Bortner, enters this temporary order to cease and desist pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), based on the following findings:

I. FACTUAL FINDINGS

1.1 Respondent Community Home Lending, Inc. (Community Home Lending) was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on August 10, 2001, and continues to be licensed to date. Respondent Community Home Lending is licensed to conduct the business of a mortgage broker at the following location:

7407 N. Division St. Ste. E
Spokane, WA 99208

1.2 Respondent Curtis Dean Orvik (Respondent Orvik) is President, Owner, and Designated Broker of Respondent Community Home Lending. Respondent Orvik was named Designated Broker of Respondent Community Home Lending on August 10, 2001, and continues as Designated Broker to date.

1 **1.3 Surety Bond Cancellation.** On May 12, 2009, the Department received notice from International
2 Fidelity Insurance Company that Respondent Community Home Lending's surety bond would be cancelled,
3 effective June 10, 2009. To date, Respondents have failed to provide the required surety bond.

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

5 **2.1 Requirement to Maintain Surety Bond.** Based on the Factual Allegations set forth in Section I
6 above, Respondents are in apparent violation of RCW 19.146.205(4)(a) and WAC 208-660-175(1) for failing to
7 file and maintain a surety bond with the Department.

8 **III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST**

9 **3.1 Authority to Issue Temporary Order to Cease and Desist.** Pursuant to RCW 19.146.227, the
10 Director is authorized to issue a temporary order to cease and desist whenever the Director determines that the
11 public is likely to be substantially injured by delay in issuing a cease and desist order. Based on the Factual
12 Findings and Grounds for Entry of Order set forth above, Respondent Community Home Lending does not
13 maintain the required surety bond, and the public is likely to be substantially injured by the lack of said surety
14 bond coverage.

15 **IV. ORDER**

16 Based on the above Factual Findings, Grounds for Entry of Order, and Authority to Issue Temporary
17 Order to Cease and Desist, and pursuant to RCW 19.146.227, the Director determines that the public is likely to
18 be substantially harmed by a delay in entering a cease and desist order. Therefore, the Director ORDERS that:

19 **4.1** Respondents shall immediately cease and desist from participating in the conduct of the affairs of any
20 mortgage broker subject to licensure by the Director, in any manner, specifically including, but not limited to
21 originating any residential mortgage loan, assisting with the origination of any residential mortgage loan, and
22 holding himself out as able to assist any person with applying for or obtaining any residential mortgage loan.

23 **4.2** This order shall take effect immediately and shall remain in effect unless set aside, limited, or
24 suspended in writing by an authorized court.

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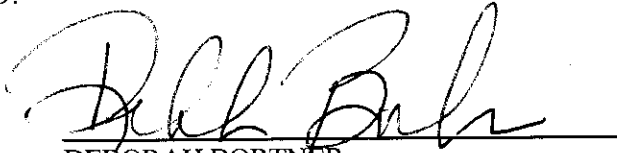
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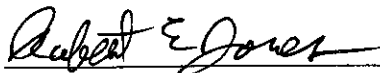
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1 DATED this 28th day of July, 2009.

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4 DEBORAH BORTNER
5 Director
6 Division of Consumer Services
7 Department of Financial Institutions

8 Presented by:

9 

10 ROBERT E. JONES
11 Financial Legal Examiner



12 Approved by:

13 

14 JAMES R. BRUSSELBACK
15 Enforcement Chief