

Terms Completed

ORDER SUMMARY – Case Number: C-09-090

Name(s): Eric David MacLaurin

Order Number: C-09-090-10-FO01

Effective Date: June 13, 2010

License Number: DFI: 37059 [NMLS: 159525]
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: LO License Application Denied

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$0	Due 0	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date:
Fine	\$0	Due 0	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**

NO. C-09-090-10-FO01

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

ERIC DAVID MACLAURIN,

Respondent.

FINAL ORDER

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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(2). On June 18, 2009, 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 June 22, 2009, 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 June 22, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing on Respondent MacLaurin on June 23, 2009, by First-Class Mail and Federal Express overnight delivery. On or about June 25, 2009, Respondent MacLaurin received the Statement of Charges with cover letter dated June 23, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing by First-Class Mail.

On July 6, 2009, Respondent MacLaurin filed an Application for Adjudicative Hearing.

1 On July 7, 2009, the Department made a request to the Office of Administrative Hearings (OAH)
2 to assign an Administrative Law Judge (ALJ) to schedule and conduct a hearing on the Statement of
3 Charges.

4 On or about December 18, 2009, OAH issued a Notice of Telephone Prehearing Conference
5 assigning ALJ Kimberly A. Boyce (ALJ Boyce) to preside over prehearing and hearing proceedings
6 and issue an Initial Decision and scheduling a prehearing conference on Tuesday, January 19, 2010, at
7 11:00 a.m. That Order contained the following instruction to the parties: "You must provide the
8 Office of Administrative Hearings with a telephone number where you can be reached at that time."
9 That Order also indicated: "If you fail to appear or participate in the pre-hearing conference, hearing,
10 or any other scheduled stage of these proceedings, you may lose your right to a hearing as described in
11 RCW 34.05.440."

12 On January 19, 2010, the prehearing conference was convened by ALJ Boyce at 11:00 a.m.
13 Respondent MacLaurin failed to appear and ALJ Boyce was unable to contact Respondent MacLaurin
14 at the last telephone number provided by Respondent MacLaurin. The Department moved for an order
15 of default based on Respondent MacLaurin's failure to appear.
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17 On January 20, 2010, ALJ Boyce issued a Decision and Order on Respondent's Failure to
18 Appear which affirmed the Statement of Charges.

19 On or about January 27, 2010, the Department's representative requested a Motion for
20 Modification of the Decision and Order on Respondent's Failure to Appear.
21

22 On or about February 24, 2010, ALJ Boyce issued an Order Granting Motion for Modification
23 of Decision and Order on Respondent's Failure to Appear. On or about February 24, 2010, ALJ
24 Boyce sent Respondent MacLaurin the Order Granting Motion for Modification of Decision and
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1 Order on Respondent's Failure to Appear to the address in Respondent MacLaurin's Application for
2 Adjudicative Hearing.

3 Pursuant to RCW 34.05.440(3), Respondent MacLaurin had seven (7) days from the date of
4 service of the Order of Default and Initial Order to file a written motion with OAH requesting that the
5 Order of Default and Initial Order be vacated, and stating the grounds relied upon. Respondent
6 MacLaurin did not make a request to vacate during the statutory period. Pursuant to RCW 34.05.464
7 and WAC 10-08-211, Respondent MacLaurin had twenty (20) days from the date of service of the
8 Order of Default and Initial Order to file a Petition for Review of the Order of Default and Initial Order
9 with the Director. Respondent MacLaurin did not file a Petition for Review during the statutory
10 period.
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12 B. Record Presented. The record presented to the Director for his review and for entry of
13 a final decision included the following:

- 14 1. Statement of Charges, cover letter dated June 22, 2009, and Notice of Opportunity to
15 Defend and Opportunity for Hearing, with documentation of service;
- 16 2. Completed Application for Adjudicative Hearing;
- 17 3. Request to OAH for Assignment of Administrative Law Judge;
- 18 4. Notice of Telephone Prehearing Conference which included assignment of
19 Administrative Law Judge;
- 20 5. Decision and Order on Respondent's Failure to Appear;
- 21 6. Motion for Modification of Decision and Order on Respondent's Failure to Appear;
- 22 7. Order Granting Motion for Modification of Decision and Order on Respondent's
23 Failure to Appear.

24 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(2), the
25 Director hereby adopts the Statement of Charges, which is attached hereto.

1 II. FINAL ORDER

2 Based upon the foregoing, and the Director having considered the record and being
3 otherwise fully advised, NOW, THEREFORE:

4 A. IT IS HEREBY ORDERED that Respondent Eric D. MacLaurin's application for a loan
5 originator license is denied.

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

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

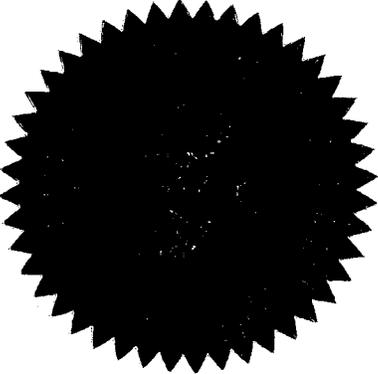
18 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
19 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
20 Review made under chapter 34.05 RCW and RCW 34.05.550.

21 D. Judicial Review. Respondent MacLaurin has the right to petition the superior court
22 for judicial review of this agency action under the provisions of chapter 34.05 RCW. For the
23 requirements for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.
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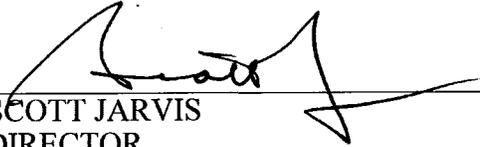
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E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
attached hereto.

DATED this 23rd day of June 2010.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS



SCOTT JARVIS
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:

ERIC DAVID MACLAURIN,

Respondent.

NO. C-09-090-09-SC01

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

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 19.146.235 and 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 Eric David MacLaurin (Respondent MacLaurin) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Integrity First Mutual Mortgage LLC, a mortgage broker licensed under the Act. The loan originator application was received by the Department on or about, February 24, 2009.

1.2 Outstanding Liens and Judgments. On or about July 1, 2008, a Notice of Federal Tax Lien, Serial No. 454437808, was filed against Respondent MacLaurin by the Department of the Treasury – Internal Revenue Service, in the amount of \$30,911.85. On or about July 1, 2008, a Notice of Federal Tax Lien, Serial No. 454437708, was filed against Respondent MacLaurin by the Department of the Treasury – Internal Revenue Service, in the amount of \$83,629.87.

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

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

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

7 **III. AUTHORITY TO IMPOSE SANCTIONS**

8 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the
9 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the
10 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by
11 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application
12 of the denial.

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

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

18 **4.1** Respondent Eric David MacLaurin's application for a loan originator license be denied.

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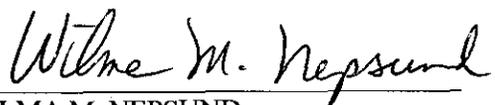
V. AUTHORITY AND PROCEDURE

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 18th day of June, 2009.


DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:


WILMA M. NEPSUND
Financial Examiner



Approved by:


FATIMA BATIE
Financial Legal Examiner Supervisor