

Terms Completed

ORDER SUMMARY – Case Number: C-09-141

Name(s): Joseph Anthony LaVarnway

Order Number: C-09-141-09-FO01

Effective Date: August 27, 2009

License Number: n/a
Or NMLS Identifier [U/L]

License Effect: Application Denied.

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$0	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:		0		

Comments: _____



State of Washington

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

BRIEF ADJUDICATIVE PROCEEDING

IN THE MATTER OF INVESTIGATING the
Loan Originator License Application under the
Washington Mortgage Broker Practices Act
(Ch. 19.146 RCW) by:

JOSEPH A. LAVARNWAY,

Respondent.

No. C-09-141-09

DCS – BAP – 2009-001 JMV

FINAL DECISION AND ORDER

THIS MATTER having come before Scott Jarvis, Director for the Department of Financial Institutions (“Department”), in relation to review of the Initial Decision and Order, which denied a Loan Originator License under the Washington Mortgage Broker Practices Act, Chapter 19.146 RCW (“Act”), upon application by JOSEPH A. LAVARNWAY, the Respondent (“Respondent”);

NOW THEREFORE, the Presiding Officer issues the following Final Decision and Order:

1.0 CONSIDERATION

1.1 The Director has reviewed the record on review, including the Initial Decision and Order under the Brief Adjudicative Proceeding, which was dated August 5, 2009.

1.2 Respondent did not submit a Petition for Review of the Initial Decision and Order.

1.3 More than twenty (20) days has expired since issuance of an Initial Decision and Order. It appears from the Certificate of Service that Respondent was duly served as of August 6, 2009.

1.4 The Director agrees with and concurs in the Findings of Fact and Conclusions of Law made in the Initial Decision and Order in the Brief Adjudicative Proceeding below. All of these Findings of Fact and Conclusions of Law are hereby adopted as if fully set forth herein.

2.0 FINAL DECISION AND ORDER

For all of the reasons set forth above, IT IS HEREBY ORDERED THAT:

The application of Respondent JOSEPH A. LAVARNWAY for a Loan Originator License with the Washington State Department of Financial Institutions is denied.

Dated and mailed on August 27th, 2009, at Tumwater, Washington.


Scott Jarvis, Director
WASHINGTON STATE DEPARTMENT OF
FINANCIAL INSTITUTIONS
P.O. Box 41200
Olympia, Washington 98504-1200

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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:

JOSEPH ANTHONY LAVARNWAY,

Respondent.

NO. C-09-141-09-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 RCW 19.146.235, 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 Joseph Anthony LaVarnway (Respondent LaVarnway) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Paramount Equity Mortgage, Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about March 13, 2009.

1.2 Prior Criminal Acts. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

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[REDACTED]

II. GROUNDS FOR ENTRY OF ORDER

2.1 Requirement of No Prior Convictions. Based on the Factual Allegations set forth in Section I above, Respondent LaVarnway fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by [REDACTED].

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 Joseph Anthony LaVarnway's application for a loan originator license be denied.

V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application (Statement of Charges) is issued 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 Brief Adjudicative Proceeding as set forth in the

1 NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR BRIEF ADJUDICATIVE
2 PROCEEDING accompanying this Statement of Charges.

3
4 Dated this 12th day of May 2009.

5 [Redacted Signature]

6 DEBORAH BORTNER
7 Director
8 Division of Consumer Services
9 Department of Financial Institutions

10 Presented by:

11 [Redacted Signature]

12 FATIMA BATIE
13 Financial Legal Examiner Supervisor



14 Approved by:

15 [Redacted Signature]

16 JAMES R. BRUSSELBACK
17 Enforcement Chief

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