

TERMS COMPLETED

CONSENT ORDER SUMMARY - Case Number: C-09-229

Name(s) Genny Marie Harmon aka Genny Marie Lee

Order Number C-09-229-09-CO02

Effective Date October 13, 2009

License Number N/A

License Effect Application Denied

Not Apply until October 13, 2014

Prohibition/Ban until October 13, 2014

Investigation Costs	\$	Due	Paid Y N	Date
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Assessment(s)	\$	Due	Paid Y N	Date
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Monetary Penalty	\$2,000	Due	Paid Yes	Date 9/29/09
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Other

Special Instructions

RECEIVED

SEP 18 2009

ENFORCEMENT UNIT  
DIVISION OF CONSUMER SERVICES  
DEPT OF FINANCIAL INSTITUTIONS

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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  
Escrow Agent Registration Act of Washington by:

NO. C-09-229-09-CO02

GOLF ESCROW CORPORATION, and  
GENNY MARIE HARMON aka GENNY MARIE  
LEE,  
Respondents.

CONSENT ORDER  
GENNY MARIE HARMON aka GENNY MARIE  
LEE

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Genny Marie Harmon aka Genny Marie Lee (hereinafter Respondent), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent has agreed upon a basis for resolution of the matters alleged in Temporary Order to Cease and Desist No. C-09-229-09-TD01 (Temporary Order to Cease and Desist), entered August 4, 2009, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration 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 Temporary Order to Cease and Desist.

Based upon the foregoing:

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

CONSENT ORDER  
C-09-229-09-CO02  
GENNY MARIE HARMON aka GENNY MARIE  
LEE

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 she hereby waives her right to a hearing and any and all  
3 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.

4           **C. Application Denial.** It is AGREED that Respondent's application for licensure as designated escrow  
5 officer or escrow officer is denied.

6           **D. Prohibition from Industry.** It is AGREED that Respondent is prohibited from participating in the  
7 conduct of the affairs of any escrow agent licensed by the Department for five (5) years from the date of entry of  
8 this Consent Order in 1) any financial capacity whether active or passive or (2) as an officer, director, principal, or  
9 employee or (3) any management, control, oversight or maintenance of any trust account(s) in any way related to  
10 any residential mortgage transaction or (4) disbursing, depositing, or managing in any way, consumer trust funds.  
11 Respondent is not prohibited from conducting her mobile notary and mobile signing agent business provided that  
12 Respondent does not perform escrow functions including but not limited to creation of documents, disbursement,  
13 or depositing of consumer funds or other items (i.e. all funds are delivered to the escrow agent in the original  
14 format for deposit and disbursement by the escrow agent), and provided that Respondent is paid for her services as  
15 a third party out of escrow.

16           **E. Fine.** It is AGREED that Respondent shall pay to the Department a fine of \$2,000, in the form of a  
17 cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent Order.

18           **F. Complete Cooperation with the Department and the Office of the Attorney General.** It is  
19 AGREED that Respondent shall cooperate fully, truthfully and completely with the Department and the Office  
20 of Attorney General and provide any and all information known to her relating in any manner to Golf Escrow  
21 Corporation conducting or engaging in the business of an Escrow Agent. It is further AGREED that Respondent  
22 shall provide any and all documents, writings, materials, objects or evidence of any kind in her possession or  
23 under her care, custody, or control that she is authorized to possess, obtain, or distribute relating directly or  
24 indirectly to all areas of inquiry and investigation. A failure to cooperate fully, truthfully and completely is a  
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1 breach of this Consent Order. It is further AGREED that Respondent shall testify fully, truthfully, and  
2 completely at any proceeding related to the Department's investigation and enforcement actions related to this  
3 matter, including, but not limited to Golf Escrow Corporation.

4 **G. Authority to Execute Order.** It is AGREED that the undersigned Respondent has represented and  
5 warranted that she has the full power and right to execute this Consent Order on behalf of the parties represented.

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

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

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

14 **RESPONDENT:**

15 GENNY MARIE HARMON aka GENNY MARIE LEE

16 By: 

17 GENNY MARIE HARMON aka  
18 GENNY MARIE LEE

19 Individually

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9/14/09  
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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 13<sup>th</sup> DAY OF OCTOBER 2009.

[Redacted Signature]

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

[Redacted Signature]

MARNIE SHEERAN  
Financial Legal Examiner



Approved by:

[Redacted Signature]

JAMES R. BRUSSELBACK  
Enforcement Chief

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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 Escrow  
Agent Registration Act of Washington by:

C-09-229-09-TD01

GOLF ESCROW CORPORATION and GENNY  
MARIE HARMON aka GENNY MARIE LEE,

TEMPORARY ORDER TO  
CEASE AND DESIST

Respondents.

THE STATE OF WASHINGTON TO: GOLF ESCROW CORPORATION and  
GENNY MARIE HARMON aka GENNY MARIE LEE

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 interest will be irreparably harmed by delay in issuing an order to cease and desist, enters this Temporary Order to Cease and Desist pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act), based on the following findings:

**I. FACTUAL FINDINGS**

**1.1 Respondent Golf Escrow Corporation (Respondent Golf Escrow)** was issued a license to engage in the business of an Escrow Agent on July 14, 1981, and continues to be licensed to date. Respondent Golf Escrow is licensed to engage in the business of an Escrow Agent at 6100 219<sup>th</sup> St SW, #440, Mountlake Terrace, Washington. To date, Respondent Golf Escrow is not licensed to engage in the business of an Escrow Agent at 1730 Minor Ave, Suite 1110, Seattle, Washington.

**1.2 Respondent Genny Marie Harmon aka Genny Marie Lee (Respondent Lee)** has never been licensed by the Department of Financial Institutions of the State of Washington (Department) as a Designated Escrow Officer or Escrow Officer or Escrow Agent. At all times relevant to this Temporary Order

1 to Cease and Desist, Respondent Lee was employed by Respondent Golf Escrow Company, an Escrow Agent  
2 licensed under the Act<sup>1</sup>.

3 **1.3 Unlicensed Activity.** Respondent Lee submitted an application to the Department for a license to  
4 conduct business as a Designated Escrow Officer for Respondent Golf Escrow at 1730 Minor Ave, Suite 1110,  
5 Seattle, Washington. The application was received by the Department on or about May 14, 2007. However,  
6 the file was incomplete. Respondent Lee was notified of the deficiencies on or about June 6, 2007. As the  
7 deficiencies were not corrected, as of February 2, 2009, the application was considered withdrawn.

8 **1.4** Respondent Golf Escrow and Respondent Lee are known to have conducted the business of an  
9 Escrow Agent or Designated Escrow Officer or Escrow Officer at 1730 Minor Ave, Suite 1110, Seattle,  
10 Washington from on or about May 14, 2007 to the date of this order. To date, the Department has not issued a  
11 license to conduct the business of an Escrow Agent or Designated Escrow Officer or Escrow Officer from this  
12 location.

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

14 **2.1 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,  
15 Respondents are apparent violation of RCW 18.44.021, RCW 18.44.041, RCW 18.44.071, RCW 18.44.081 and  
16 RCW 18.44.301(1), (2) and (4) for engaging in the business of an Escrow Agent or Designated Escrow Officer  
17 or Escrow Officer without a license.

## 18 **III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST**

19 **3.1 Authority to Issue Temporary Order to Cease and Desist.** Pursuant to RCW 18.44.440, the  
20 Director is authorized to issue a temporary order to cease and desist whenever the Director makes a finding, in  
21 writing, that the public interest will be irreparably harmed by delay in issuing a cease and desist order. Based  
22 on the Factual Findings and Grounds for Entry of Order set forth above, Respondents have engaged in unfair,  
23 deceptive and misleading practices by engaging in the business of an Escrow Agent and Designated Escrow

24  
25 <sup>1</sup> However, as noted above, Respondent Golf Escrow is not licensed to engage in the business of an Escrow Agent at 1730  
Minor Ave, Suite 1110, Seattle, WA.

1 Officer or Escrow Officer without a license. As a result, the Director finds that the public interest will be  
2 irreparably harmed by delay in issuing an order to cease and desist and permitting Respondents to continue  
3 working in the Escrow industry.

#### 4 IV. ORDER

5 Based on the above Factual Findings, Grounds for Entry of Order, and Authority to Issue Temporary  
6 Order to Cease and Desist, and pursuant to RCW 18.44.400, the Director finds that the public interest will be  
7 irreparably harmed by delay in issuing a cease and desist order. Therefore, the Director ORDERS that:

8 4.1 Respondent Genny Marie Harmon aka Genny Marie Lee shall immediately cease and desist  
9 from participating in the conduct of the affairs of any Escrow Agent licensed by the Department or subject to  
10 licensure by the Department, in any manner which could result in Respondent Genny Marie Harmon aka Genny  
11 Marie Lee obtaining access to Escrow files, records, funds, or accounts.

12 4.2 Respondent Golf Escrow Corporation shall immediately cease and desist from engaging in the  
13 business of an Escrow Agent from 1730 Minor Ave, Suite 1110, Seattle, Washington in any manner.

14 4.3 This order shall take effect immediately and shall remain in effect unless set aside, limited, or  
15 suspended in writing by an authorized court.

#### 16 NOTICE

17 PURSUANT TO CHAPTER 18.44 RCW, YOU ARE ENTITLED TO A HEARING WITHIN 14 DAYS  
18 OF REQUEST TO DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU  
19 DESIRE A HEARING, THEN YOU MUST RETURN THE ACCOMPANYING APPLICATION FOR  
20 ADJUDICATIVE HEARING, INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO  
21 COMPLETE AND RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO THAT IT IS  
22 RECEIVED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN 20 DAYS OF THE DATE  
23 THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND WILL RESULT IN  
24 THE LOSS OF YOUR RIGHT TO A HEARING. SERVICE ON YOU IS DEFINED AS POSTING IN THE  
25 U.S. MAIL, POSTAGE PREPAID, TO YOUR LAST KNOWN ADDRESS. BE ADVISED THAT DEFAULT

1 WILL RESULT IN THIS ORDER TO CEASE AND DESIST BECOMING PERMANENT ON THE 21ST DAY  
2 FOLLOWING SERVICE OF THIS ORDER UPON YOU.

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4           WITHIN TEN DAYS AFTER YOU HAVE BEEN SERVED WITH THIS TEMPORARY ORDER  
5 TO CEASE AND DESIST, YOU MAY APPLY TO THE SUPERIOR COURT IN THE COUNTY OF  
6 YOUR PRINCIPAL PLACE OF BUSINESS FOR AN INJUNCTION SETTING ASIDE, LIMITING, OR  
7 SUSPENDING THIS ORDER PENDING THE COMPLETION OF THE ADMINISTRATIVE  
8 PROCEEDINGS PURSUANT TO THIS NOTICE.

9           DATED this 1<sup>st</sup> day of August, 2009.

10 [Redacted Signature]

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

14 Presented by:

15 [Redacted Signature]

16 MARNIE SHEERAN  
17 Financial Legal Examiner

18 Approved by:

19 [Redacted Signature]

20 JAMES R. BRUSSELBACK  
21 Enforcement Chief

