

Terms Completed

ORDER SUMMARY – Case Number: C-09-236

Name(s): Audroc, Inc. d/b/a Pro Mortgage Group
Audrey Pauline D’Orazio
Michael D’ Orazio

Order Number: C-09-236-09-CO01

Effective Date: April 5, 2010

License Number: DFI: 25366 [NMLS: 8757] DFI: 25616 [NMLS: 12573]
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: n/a

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$96	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Apr 5/10
Fine	\$3,000	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Apr 5/10
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-09-236-09-CO01

AUDROC, INC. d/b/a PRO MORTGAGE GROUP;
AUDREY PAULINE D'ORAZIO; President,
Owner, and Designated Broker; ROCCO
MICHAEL D'ORAZIO, Vice-President and Owner,
Respondents.

CONSENT ORDER

9 COMES NOW the Director of the Department of Financial Institutions (Director), through his designee
10 Deborah Bortner, Division Director, Division of Consumer Services, and Audroc, Inc. d/b/a Pro Mortgage Group
11 (hereinafter Respondent Audroc); Audrey Pauline D'Orazio, President, Owner, and Designated Broker
12 (hereinafter Respondent A. D'Orazio); and Rocco Michael D'Orazio, Vice-President and Owner (hereinafter
13 Respondent R. D'Orazio), and finding that the issues raised in the above-captioned matter may be economically
14 and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter
15 19.146 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based
16 on the following:

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AGREEMENT AND ORDER

19 The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents
20 have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-236-09-SC01
21 entered September 9, 2009, (copies attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker
22 Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the
23 Department's entry of this Consent Order and further agree that the issues raised in the above-captioned matters
24 may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order
25 to fully resolve the Statement of Charges listed above. Respondents are agreeing to withdraw their Petition for

CONSENT ORDER
C-09-236-09-CO01
Audroc, Inc. d/b/a Pro Mortgage Group, Audrey
Pauline D'Orazio, Rocco Michael D'Orazio

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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

1 Review pertaining to Statement of Charges C-09-236-09-SC01. The parties agree that this Consent Order resolves
2 Order DCS-BAP-C-09-236-09-IO pertaining to Statement of Charges C-09-236-09-SC01.

3 Based upon the foregoing:

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

6 B. **Waiver of Right to Appeal.** It is AGREED that Respondents have been informed of the right to
7 submit a Petition for Review to the Director of Order DCS –BAP-C-09-236-09-IO and that Respondents hereby
8 waive their right to Petition for Review and all administrative and judicial review of the issues raised in this
9 matter, or of the resolution reached herein. Accordingly, Respondents by their signatures below, withdraw their
10 Petition for Review on Order DCS-BAP-C-09-236-09-IO.

11 C. **Fine.** It is AGREED that Respondents shall pay to the Department a fine of \$3,000, in the form of a
12 cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent Order.

13 D. **Investigation Fee.** It is AGREED that Respondents shall pay to the Department an investigation fee
14 of \$96, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this
15 Consent Order. Respondents may pay both the fine and investigation fee in the form of one cashier's check made
16 payable to the "Washington State Treasurer" upon entry of this Consent Order.

17 E. **Authority to Execute Order.** It is AGREED that the undersigned Respondents have represented and
18 warranted that they have the full power and right to execute this Consent Order on behalf of the parties
19 represented.

20 F. **Non-Compliance with Order.** It is AGREED that Respondents understand that failure to abide
21 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the
22 event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in
23 pursuing such action, including but not limited to, attorney fees.

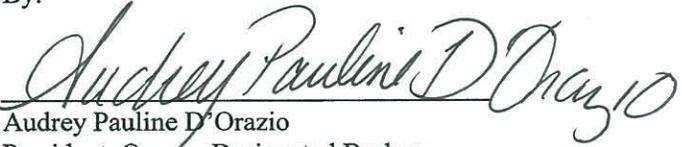
1 G. **Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into
2 this Consent Order, which is effective when signed by the Director's designee.

3 H. **Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read this
4 Consent Order in its entirety and fully understand and agree to all of the same.

5 **RESPONDENTS:**

6 **Audroc, Inc.**

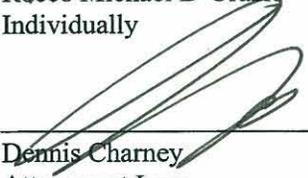
7 By:

8  1/13/2010
9 Audrey Pauline D'Orazio Date
10 President, Owner, Designated Broker

11  1/13/2010
12 Rocco Michael D'Orazio Date
13 Vice-President, Owner

14  1/13/2010
15 Audrey Pauline D'Orazio Date
16 Individually

17  1/13/2010
18 Rocco Michael D'Orazio Date
19 Individually

20  1/13/10
21 Dennis Charney Date
22 Attorney at Law
23 Attorney for Respondents

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 5 DAY OF April, 2010.



Deborah Bortner

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

Deboran Pinsonneault

DEBORAN PINSONNEAULT
Financial Legal Examiner

Approved by:

James R. Brusselback

JAMES R. BRUSSELBACK
Enforcement Chief

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

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

7 AUDROC INC,

8 Respondent.

NO. C-09-236-09-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO IMPOSE FINE AND COLLECT
INVESTIGATION FEE

9 INTRODUCTION

10 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial
11 Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the
12 Mortgage Broker Practices Act (Act). After having conducted an investigation pursuant to RCW 19.146.235, and
13 based upon the facts available as the date of this Statement of Charges, the Director, through his designee, Division
14 of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

15 I. FACTUAL ALLEGATIONS

16 1.1 Respondent Audroc Inc (Respondent) was licensed by the Department of Financial Institutions of the
17 State of Washington (Department) to conduct business as a mortgage broker at all times relevant to the conduct
18 alleged.

19 1.2 Failure to File Mortgage Broker Annual Report. By March 31, 2009, Respondent was required to
20 file an annual report of mortgage broker activity to include the total number of closed loans originated and the
21 total volume of closed loans originated. As of the date of this Statement of Charges Respondent has not filed
22 the 2008 mortgage broker annual report.

23 1.3 On-Going Investigation. The Department's investigation into the alleged violations of the Act by
24 Respondent continues to date.

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STATEMENT OF CHARGES
Audroc Inc
C-09-236-09-SC01

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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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II. GROUNDS FOR ENTRY OF ORDER

2.1 Requirement to File Mortgage Broker Annual Report. Based on the Factual Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.290(1) and WAC 208-660-400(1), (2), (3), and (4) for failing to file the mortgage broker annual report.

III. AUTHORITY TO IMPOSE SANCTIONS

3.1 Authority to Impose Fine. Pursuant to RCW 19.146.220(2)(e) the Director may impose fines on a licensee or other person subject to the Act for any violations of the Act.

3.2 Authority to Collect Investigation Fee. Pursuant to RCW 19.146.228(2), WAC 208-660-520, and WAC 208-660-550(4), upon completion of any investigation of the books and records of a licensee or other person subject to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover the cost of the investigation. The investigation charge will be calculated at the rate of \$48 per hour that each staff person devoted to the investigation.

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 and RCW 19.146.223. Therefore, it is the Director's intention to ORDER that:

- 4.1** Respondent Audroc Inc pay a fine of \$3,000; and
- 4.2** Respondent Audroc Inc pay an investigation fee, which as of the date of these charges is \$96 calculated at \$48 per hour for two staff hours devoted to the investigation; and
- 4.3** Respondent Audroc Inc file the 2008 annual report of mortgage broker activity.

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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Impose Fine and Collect Investigation Fee (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 Brief Adjudicative Proceeding as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR BRIEF ADJUDICATIVE PROCEEDING accompanying this Statement of Charges.

Dated this 9th day of September, 2009.


DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:


FATIMA BATIE
Financial Legal Examiner Supervisor

Approved by:


JAMES R. BRUSSELBACK
Enforcement Chief



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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:

AUDROC INC,

Respondent.

No. C-09-236-09-SC01

NOTICE OF OPPORTUNITY TO DEFEND
AND OPPORTUNITY FOR BRIEF
ADJUDICATIVE PROCEEDING

7 THE STATE OF WASHINGTON TO:

Audroc Inc

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YOU ARE HEREBY NOTIFIED that a STATEMENT OF CHARGES has been issued by the
Department of Financial Institutions, a true and correct copy of which is attached and made a part hereof.

YOU ARE HEREBY NOTIFIED that you may file a Request for Brief Adjudicative Proceeding before the
Washington State Department of Financial Institutions on the Statement of Charges. Service of this notice is
deemed complete upon deposit in the United States mail. YOUR REQUEST MUST BE RECEIVED BY THE
DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS FROM THE DATE YOU
RECEIVED THIS NOTICE. If you request a Brief Adjudicative Proceeding, you will be notified of the schedule
and oral argument, if any, at least seven (7) days in advance.

The Brief Adjudicative Proceeding will be as informal as is practical within the requirements of the
Administrative Procedure Act (see chapter 34.05 RCW). If you are limited English- speaking or hearing impaired,
you have the right to have an interpreter appointed at no cost to you, as discussed below.

INTERPRETER AVAILABILITY. If you are a person who, because of non-English-speaking cultural
background, cannot readily speak or understand the English language, or if you are a person who, because of a
hearing impairment or speech defect, cannot readily understand or communicate in spoken language, including
persons who are deaf, deaf and blind, or hard of hearing, AND YOU NEED AN INTERPRETER, then a qualified
interpreter will be appointed at no cost to you. You may request the appointment of a qualified interpreter by
indicating your request on the attached Request for Brief Adjudicative Proceeding form.

NOTICE OF OPPORTUNITY TO DEFEND
AND OPPORTUNITY FOR BRIEF
ADJUDICATIVE PROCEEDING

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
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