

Terms Completed

ORDER SUMMARY – Case Number: C-09-351

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

Order Number: C-09-351-09-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Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: Revoked

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$144	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: April 5/10
Fine	\$2,000	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: April 5/10
Examination Fee	\$	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-09-351-09-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

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents
have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-351-09-SC01
entered September 23, 2009, and Temporary Order to Cease and Desist No. C-09-351-09-TD01 entered
September 23, 2009, (copies attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices
Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the
Department's entry of this Consent Order and further agree that the issues raised in the above-captioned matters
may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order

CONSENT ORDER
C-09-351-09-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 to fully resolve the Statement of Charges and the Temporary Order to Cease and Desist listed above. Respondents
2 are agreeing to withdraw their Petition for Reconsideration pertaining to Statement of Charges C-09-351-09-SC01.
3 The Department is agreeing to vacate Final Order C-09-351-09-FO01 pertaining to Statement of Charges C-09-
4 351-09-SC01.

5 Based upon the foregoing:

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

8 **B. Waiver of Right to Appeal.** It is AGREED that Respondents have been informed of the right to
9 submit a Petition for Reconsideration on Final Order C-09-351-09-FO01 and that Respondents hereby waive their
10 right to Petition for Reconsideration and any and all administrative and judicial review of the issues raised in this
11 matter, or of the resolution reached herein. It is also AGREED that Respondents have waived their right to a
12 hearing on Temporary Order to Cease and Desist C-09-351-09-TD01. Accordingly, Respondents by their
13 signatures below, withdraw their Petition for Reconsideration on Final Order C-09-351-09-FO01.

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

16 **D. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an investigation fee
17 of \$144, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this
18 Consent Order. Respondents may pay both the fine and investigation fee in the form of one cashier's check made
19 payable to the "Washington State Treasurer" upon entry of this Consent Order.

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

23 **F. Non-Compliance with Order.** It is AGREED that Respondents understand that failure to abide
24 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the

1 event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in
2 pursuing such action, including but not limited to, attorney fees.

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

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

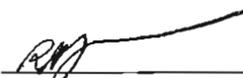
7 **RESPONDENTS:**

8 **Audroc, Inc.**

9 By:

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11 Audrey Pauline D'Orazio
12 President, Owner, Designated Broker

1/13/2010
Date

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14 Rocco Michael D'Orazio
15 Vice-President, Owner

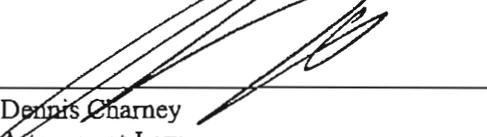
1/13/2010
Date

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17 Audrey Pauline D'Orazio
18 Individually

1/13/2010
Date

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20 Rocco Michael D'Orazio
21 Individually

1/13/2010
Date

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23 Dennis Charney
24 Attorney at Law
25 Attorney for Respondents

1/13/10
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 5th DAY OF April, 2010.



Deborah Bortner

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

Deborah Pinsonneault

DEBORAH PINSONNEAULT
Financial Legal Examiner

Approved by:

James R. Brusselback

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:

NO. C-09-351-09-SC01

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,

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO CEASE AND DESIST, REVOKE
LICENSE, IMPOSE FINE, AND COLLECT
INVESTIGATION FEE

Respondents.

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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 19.146.235, 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:

I. FACTUAL ALLEGATIONS

1.1 Respondents.

A. **Audroc, Inc. (Audroc)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on or about October 23, 2003, and continues to be licensed to date. Respondent Audroc is licensed to conduct the business of a mortgage broker at the following location:

8921 W. Hackamore
Boise, Idaho 83709

¹ RCW 19.146 (2006)

1 the cost of the investigation. The investigation charge will be calculated at the rate of forty-eight dollars (\$48) per
2 hour that each staff person devoted to the investigation.

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

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

- 8 **4.1** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio cease and desist from
9 conducting the business of a mortgage broker;
- 10 **4.2** Respondent Audroc, Inc.'s license to conduct the business of a mortgage broker be revoked;
- 11 **4.3** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio jointly and severally
12 pay a fine which as of the date of this Statement of Charges totals \$3,000; and
- 13 **4.4** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio jointly and severally
14 pay an investigation fee which as of the date of this Statement of Charges totals \$144 calculated at \$48 per
15 hour for the three (3) staff hours devoted to the investigation.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Revoke
3 License, Impose Fine, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the
4 provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to
5 the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondents may make a written
6 request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY
7 FOR HEARING accompanying this Statement of Charges.

8
9 Dated this 23rd day of September, 2009.

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

16 Presented by:

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18 DEBORAH PINSONNEAULT
19 Financial Legal Examiner



20 Approved by:

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22 JAMES R. BRUSSELBACK
23 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
Mortgage Broker Practices Act of Washington by:

C-09-351-09-TD01

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.

TEMPORARY ORDER TO
CEASE AND DESIST

8 THE STATE OF WASHINGTON TO: AUDROC, INC. d/b/a PRO MORTGAGE GROUP
9 AUDREY PAULINE D'ORAZIO
 ROCCO MICHAEL D'ORAZIO

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

16 **I. FACTUAL FINDINGS**

17 **1.1 Respondent Audroc, Inc. (Respondent Audroc)** was licensed by the Department of Financial
18 Institutions of the State of Washington (Department) to conduct business as a mortgage broker on or about
19 October 23, 2003, and continues to be licensed to date. Respondent Audroc is licensed to conduct the business
20 of a mortgage broker at the following location:

21 8921 W. Hackamore
22 Boise, Idaho 83709

23 **1.2 Respondent Audrey Pauline D'Orazio (Respondent A. D'Orazio)** is President, Owner, and
24 Designated Broker of Respondent Audroc. Respondent A. D'Orazio was named Designated Broker of
25 Respondent Audroc on or about October 23, 2003, and continues as Designated Broker to date.

1 **1.3 Respondent Rocco Michael D'Orazio (Respondent R. D'Orazio)** is Vice-President and Owner of
2 Respondent Audroc.

3 **1.4 Surety Bond Cancellation.** On July 7, 2009, the Department received notice from American
4 Contractors Indemnity Company that Respondent Audroc's surety bond would be cancelled. The bond
5 cancelled effective August 7, 2009. To date, Respondents have failed to provide the required surety bond.

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

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

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

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

17 **IV. ORDER**

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

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

25 **4.2** This order shall take effect immediately and shall remain in effect unless set aside, limited, or
suspended in writing by an authorized court.

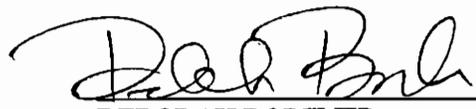
1 **NOTICE**

2 PURSUANT TO CHAPTER 19.146 RCW, YOU ARE ENTITLED TO A HEARING WITHIN 14 DAYS
3 OF REQUEST TO DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU
4 DESIRE A HEARING, THEN YOU MUST RETURN THE ATTACHED APPLICATION FOR
5 ADJUDICATIVE HEARING INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO
6 COMPLETE AND RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO THAT IT IS
7 RECEIVED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS OF
8 THE DATE THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND WILL
9 RESULT IN THE LOSS OF YOUR RIGHT TO A HEARING. SERVICE ON YOU IS DEFINED AS POSTING
10 IN THE U.S. MAIL, POSTAGE PREPAID, TO YOUR LAST KNOWN ADDRESS. BE ADVISED THAT
11 DEFAULT WILL RESULT IN THIS ORDER TO CEASE AND DESIST BECOMING PERMANENT ON THE
12 TWENTY-FIRST (21ST) DAY FOLLOWING SERVICE OF THIS ORDER UPON YOU.

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

18 DATED this 23rd day of September, 2009.

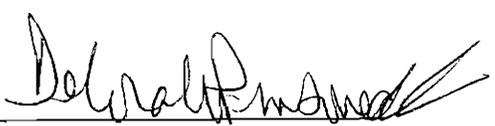




DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

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Presented by:



DEBORAH PINSONNEAULT
Financial Legal Examiner

Approved by:



JAMES R. BRUSSELBACK
Enforcement Chief