

Terms Completed

ORDER SUMMARY – Case Number: C-09-369

Name(s): Hanson, Noel Edward

Order Number: C-09-369-10-CO01

Effective Date: April 15, 2010

License Number: n/a

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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	\$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)	\$	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: No fines, costs or penalties imposed

RECEIVED

SEP 11 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
Mortgage Broker Practices Act of Washington by:

NO. C-09-369-10-CO01

CONSENT ORDER

WHITE MOUNTAIN MORTGAGE, INC., PHILIP
LANE KINZLER, Vice President and Designated
Broker, and NOEL EDWARD HANSON,
President,

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Noel Edward Hanson, President (Hanson), and finding that the issues raised in the above-captioned matter as they relate to Respondent Hanson may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 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 Hanson have agreed upon a basis for resolution of the matters as they relate to Respondent Hanson alleged in Statement of Charges No. C-09-369-09-SC01 (Statement of Charges), entered November 24, 2009, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent Hanson 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 Statement of Charges as it relates to Respondent Hanson and agree that Respondent Hanson does not admit any wrongdoing by

1 its entry. Respondent Hanson is agreeing not to contest the Statement of Charges in consideration of the terms of
2 this Consent Order.

3 Based upon the foregoing:

4 **A. Waiver of Hearing.** It is AGREED that Respondent Hanson has been informed of the right to a
5 hearing before an administrative law judge, and that he hereby waives his right to a hearing and any and all
6 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.
7 Accordingly, Respondent Hanson, by his signature below, withdraws his appeal to the Office of Administrative
8 Hearings.

9 **B. No Admission of Liability.** The parties intend this Consent Order to fully resolve the Statement of
10 Charges as they relate to Respondent Hanson and agree that Respondent Hanson does not admit to any
11 wrongdoing by its entry.

12 **C. Ownership.** At the time Respondent White Mountain Mortgage applied for its mortgage broker
13 license with the Department, Respondent Hanson was listed as the President and 25% owner of Respondent White
14 Mountain Mortgage. On May 11, 2006, Respondent Hanson agreed to sell his ownership interest in Respondent
15 White Mountain Mortgage. The sale was completed by June 30, 2006. Neither Respondent Hanson nor
16 Respondent White Mountain Mortgage notified the Department of this development.

17 **D. No Fines, Investigative Costs, or Prohibitions.** It is AGREED that Respondent Hanson will not be
18 subject to any fines, investigations costs, or order to cease and desist related to or resulting from this matter.

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

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

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G. Completely Read, Understood, and Agreed. It is AGREED that Respondent has read this Consent

Order in its entirety and fully understands and agrees to all of the same.

RESPONDENT:

Noel Edward Hanson
Noel Edward Hanson
Individually

April 7, 2010
Date

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 15th DAY OF April, 2010.



Deborah Bortner
DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

Robert E. Jones
ROBERT E. JONES
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-09-369-09-SC01

WHITE MOUNTAIN MORTGAGE, INC.,
PHILIP LANE KINZLER, Vice President and
Designated Broker, and NOEL EDWARD
HANSON, President,

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

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. **White Mountain Mortgage, Inc. (White Mountain Mortgage)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on June 27, 2002, and continues to be licensed to date. Respondent White Mountain Mortgage is licensed to conduct the business of a mortgage broker at the following location:

371 Liberty Lane
Sagle, Idaho 83860

¹ RCW 19.146 (2008)

1 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2) and (3)(a) and WAC 208-660-530(6), the
2 Director may impose fines on a licensee, employee, loan originator, independent contractor, or agent of the
3 licensee, or other person subject to the Act for any violation of RCW 19.146.205(4) or any violation of the Act.

4 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-520(9) and
5 WAC 208-660-550(4) upon completion of any investigation of the books and records of a licensee or other person
6 subject to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover
7 the cost of the investigation. The investigation charge will be calculated at the rate of forty-eight dollars (\$48) per
8 hour that each staff person devoted to the investigation.

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

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

14 **4.1** Respondents White Mountain Mortgage, Inc., Philip Lane Kinzler, and Noel Edward Hanson cease and
desist from conducting the business of a mortgage broker;

15 **4.2** Respondent White Mountain Mortgage, Inc.'s license to conduct the business of a mortgage broker be
16 revoked;

17 **4.3** Respondents White Mountain Mortgage, Inc., Philip Lane Kinzler, and Noel Edward Hanson jointly and
severally pay a fine which as of the date of this Statement of Charges totals \$3,000; and

18 **4.4** Respondents White Mountain Mortgage, Inc., Philip Lane Kinzler, and Noel Edward Hanson jointly and
19 severally pay an investigation fee which as of the date of this Statement of Charges totals \$172.80
calculated at \$48 per hour for the three and six tenths (3.6) staff hours devoted to the investigation.

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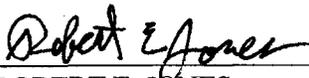
1 **V. AUTHORITY AND PROCEDURE**

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.

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9 Dated this 24th day of November, 2009.

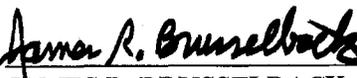
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11 _____
12 DEBORAH BORTNER
13 Director
14 Division of Consumer Services
15 Department of Financial Institutions

16 Presented by:

17 
18 _____
19 ROBERT E. JONES
20 Financial Legal Examiner



21 Approved by:

22 
23 _____
24 JAMES R. BRUSSELBACK
25 Enforcement Chief