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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-10- 370-10-TD01

MORTGAGE RELIEF SERVICING GROUP and
KRISTOPHER QUIGLEY, CEO,

TEMPORARY ORDER TO
CEASE AND DESIST

Respondents.

THE STATE OF WASHINGTON TO: MORTGAGE RELIEF SERVICING GROUP
KRISTOPHER QUIGLEY

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 is likely to be substantially injured by delay in issuing a cease and desist order, the Director,
through his designee, Division of Consumer Services Director Deborah Bortner, enters this Temporary Order to
Cease and Desist pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), based on the
following findings:

I. FACTUAL FINDINGS

1.1 Respondent Mortgage Relief Servicing Group (Respondent Mortgage Relief) has never been
licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct
business as a mortgage broker.

1.2 Respondent Kristopher Quigley (Respondent Quigley) is CEO of Respondent Mortgage Relief.
Respondent Quigley has never been licensed by the Department to conduct the business of a mortgage broker or
loan originator.

1.3 Agreement to Cease and Desist. Respondent Mortgage Relief submitted to the Department a
Declaration of Mortgage Relief Servicing Group and Agreement to Cease and Desist (Declaration) dated July
20, 2010. The Declaration stated that Respondent Mortgage Relief agrees “to immediately and permanently
cease operating as a Mortgage Broker or Loan Originator” until such time that it has obtained proper licensure.

1 The Declaration was signed under penalty of perjury by Respondent Quigley as Authorized Representative and
2 CEO of Respondent Mortgage Relief.

3 **1.4 Continued Unlicensed Activity.** On or about September 27, 2010, Patti Harris, representative for
4 Respondent Mortgage Relief, offered to provide loan modification services to at least one Washington resident.
5 On or about October 13, 2010, Respondent Quigley stated that Respondent Mortgage Relief was not taking new
6 business but was continuing to provide loan modification services to consumers whose loan modifications were
7 already in progress.

8 II. GROUNDS FOR ENTRY OF ORDER

9 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14), "Mortgage broker" means any
10 person who for compensation or gain, or in the expectation of compensation or gain (a) assists a person in
11 obtaining or applying to obtain a residential mortgage loan or (b) holds himself or herself out as being able to
12 assist a person in obtaining or applying to obtain a residential mortgage loan.

13 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11)(a) and (b), "Loan Originator"
14 means a natural person who for direct or indirect compensation or gain, or in the expectation of direct or
15 indirect compensation or gain (i) takes a residential mortgage loan application for a mortgage broker, or (ii)
16 offers or negotiates terms of a mortgage loan. "Loan originator" also includes a person who holds themselves
17 out to the public as able to perform any of these activities. "Loan originator" also includes a natural person who
18 for direct or indirect compensation or gain or in the expectation of direct or indirect compensation or gain
19 performs residential mortgage loan modification services or holds himself or herself out as being able to
20 perform residential mortgage loan modification services. "Loan originator" also includes a natural person who
21 for direct or indirect compensation or gain or in the expectation of direct or indirect compensation or gain
22 performs residential mortgage loan modification services or holds himself or herself out as being able to
23 perform residential mortgage loan modification services.

24 **2.3 Failed to Comply with Declaration.** Based on the Factual Allegations set forth in Section I above,
25 Respondents are in apparent violation of RCW 19.146.0201(8) for negligently making any false statement or

1 knowingly and willfully making any omission of material fact in connection with any reports filed by a
2 mortgage broker or in connection with any investigation conducted by the Department.

3 **2.4 Failed to Obtain and Maintain License.** Based on the Factual Allegations set forth in Section I
4 above, Respondents are in apparent violation of RCW 19.146.200 for engaging in the business of a mortgage
5 broker or loan originator without first obtaining and maintaining a license under the Act.

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

7 **3.1 Authority to Issue Temporary Order to Cease and Desist.** Pursuant to RCW 19.146.227, the
8 Director is authorized to issue a temporary order to cease and desist whenever the Director determines that the
9 public is likely to be substantially injured by delay in issuing a cease and desist order. Based on the Factual
10 Findings and Grounds for Entry of Order set forth above, Respondent Mortgage Relief and Respondent Quigley
11 engaged in the business of a Mortgage Broker or Loan Originator without a license and failed to comply with
12 Respondents' Declaration of Mortgage Relief Servicing Group and Agreement to Cease and Desist, and the
13 public is likely to be substantially injured due to Respondents' disregard for the applicable laws.

14 **IV. ORDER**

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

18 **4.1** Respondents shall immediately cease and desist from participating in the conduct of the affairs of any
19 mortgage broker or loan originator subject to licensure by the Director, in any manner, specifically including, but
20 not limited to originating any residential mortgage loan, assisting with the origination of any residential
21 mortgage loan, negotiating any terms of a residential mortgage loan, performing any loan modification services,
22 and holding out as able to assist or perform any of the above listed services.

23 **4.2** This order shall take effect immediately and shall remain in effect unless set aside, limited, or
24 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 ORDER
14 TO CEASE AND DESIST, YOU MAY APPLY TO THE SUPERIOR COURT IN THE COUNTY OF
15 YOUR PRINCIPAL PLACE OF BUSINESS FOR AN INJUNCTION SETTING ASIDE, LIMITING, OR
16 SUSPENDING THIS ORDER PENDING THE COMPLETION OF THE ADMINISTRATIVE
17 PROCEEDINGS PURSUANT TO THIS NOTICE.

18 DATED this 19th day of October, 2010.



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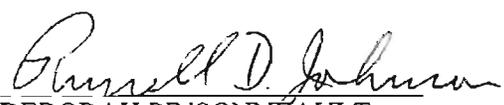
Deborah Bortner

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

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Presented by:


for DEBORAH PINSONNEAULT
Financial Legal Examiner

Approved by:


JAMES R. BRUSSELBACK
Enforcement Chief