

ORDER SUMMARY – Case Number: C-12-0894

Name(s): Robert G Scurrah Jr. and Consumer Debt Advocates Law Center Inc
d/b/a CDA Law Center

Order Number: C-12-0894-13-CO01

Effective Date: January 28, 2014

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(Revoked, suspended, stayed, application denied or withdrawn)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: January 28, 2024

Not Eligible Until: January 28, 2024

Prohibition/Ban Until: January 28, 2024

Investigation Costs	\$432	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 1/23/2014
Fine	\$15,600: \$6,300 pd 1/23/2014 \$9,300 Pd 6/30/2014	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 6/30/2014
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$3,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 1/23/2014
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input checked="" 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-12-0894-13-CO01

CONSENT ORDER

CONSUMER DEBT ADVOCATES LAW
CENTER, INC., d/b/a CDA LAW CENTER, and
ROBERT G. SCURRAH, JR.,

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Deborah Bortner, Division Director, Division of Consumer Services, and Consumer Debt
Advocates Law Center, Inc., d/b/a CDA Law Center and Robert G. Scurrah, Jr., (Respondents), 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
19.146 of the 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
Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges
No. C-12-0894-12-SC01 (Statement of Charges), entered December 10, 2012, (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, without admitting or denying the allegations of the Statement of
Charges, Respondents hereby agree to the Department's entry of this Consent Order and further agree
that the issues raised in the above-captioned matter may be economically and efficiently settled by

1 entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of
2 Charges.

3 Based upon the foregoing:

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

6 **B. Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a
7 hearing before an administrative law judge, and hereby waive their right to a hearing and any and all
8 administrative and judicial review of the issues raised in this matter, or of the resolution reached
9 herein. Accordingly, Respondents, by their signatures and the signatures of their representatives
10 below, withdraw their appeal to the Office of Administrative Hearings.

11 **C. Cease and Desist.** It is AGREED that Respondents shall cease and desist from
12 conducting the business of a mortgage broker and loan originator without obtaining and maintaining
13 a mortgage broker license or qualifying for an exemption from licensure under the Act.

14 **D. Prohibition from Industry.** It is AGREED that, for a period of ten years from the date of
15 entry of this Consent Order, Respondents are prohibited from participating, in any capacity, in the
16 conduct of the affairs of any mortgage broker, consumer loan company, or mortgage loan originator
17 licensed by the Department or subject to licensure or regulation by the Department.

18 **E. Fine.** It is AGREED that Respondents shall pay a Fine to the Department in the amount
19 of \$15,600. Upon entry of this Consent Order, Respondents shall make a partial payment of \$6,300.
20 The remainder of the Fine is to be paid to the Department to later than June 30, 2014. All payments
21 shall be made in the form of cashiers' checks made payable to the "Washington State Treasurer."

1 **F. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an
2 Investigation Fee of \$432, in the form of a cashier's check made payable to the "Washington State
3 Treasurer," upon entry of this Consent Order.

4 **G. Restitution.** It is AGREED that Respondents shall pay a refund to Washington consumer
5 A.F. in the amount of \$3,000. The consumer refund shall be in the form of a cashier's check made
6 payable to the "Washington State Treasurer," upon entry of this Consent Order. The Fine,
7 Investigation Fee, and Restitution may be paid together in one cashier's check made payable to the
8 "Washington State Treasurer."

9 **H. Confession of Judgment for Fine.** It is AGREED that Respondents have satisfactorily
10 demonstrated their inability to presently pay the Fine agreed to in this Consent Order. The
11 Department has accepted a Confession of Judgment from Respondents for the fine in the remaining
12 amount of \$9,300 owed to the Department. A copy of this Confession of Judgment is attached and
13 incorporated into this Consent Order by this reference. Consistent with RCW 4.60, the Department
14 may immediately seek entry of the judgment upon entry of this Consent Order. Respondents shall,
15 upon the Department's request, fully and promptly cooperate with the Department in its efforts to get
16 the judgment entered by the superior court. Upon payment in full of the fine, as identified in
17 Paragraph E the Department will file a Satisfaction of Judgment with the superior court.

18 **I. Rights of Non-Parties.** It is AGREED that the Department does not represent or have the
19 consent of any person or entity not a party to this Consent Order to take any action concerning their
20 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent
21 Order, this Consent Order does not limit or create any private rights or remedies against Respondents,
22 limit or create liability of Respondents, or limit or create defenses of Respondents to any claims.

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1 **J. Authority to Execute Order.** It is AGREED that the undersigned have represented and
2 warranted that they have the full power and right to execute this Consent Order on behalf of the
3 parties represented.

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

8 **L. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this
9 Consent Order, which is effective when signed by the Director's designee.

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

12
13 **RESPONDENTS:**

14 **Consumer Debt Advocates Law Center, Inc., d/b/a CDA Law Center and**
15 **Robert G. Scurrah, Jr.**

16 By:

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18 Robert G. Scurrah, Jr.
19 Majority Owner and Managing Attorney

17 1/15/2014
18 Date

19 

20 Robert G. Scurrah, Jr.
21 Individually

20 1/15/2014
21 Date

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1 Approved for Entry:



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3 Mark N. Zanides
4 Attorney at Law
5 The Law Office of Mark N. Zanides
6 Attorney for Respondents

1/16/14
Date

DO NOT WRITE BELOW THIS LINE

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THIS ORDER ENTERED THIS 28th DAY OF January, 2014.

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Presented by:



DEBORAH TAELLIUS
Financial Legal Examiner

Approved by:



CHARLES E. CLARK
Enforcement Chief

DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

1 Pursuant to Chapter 4.60 of the Revised Code of Washington, Judgment by Confession,
2 defendants Consumer Debt Advocates Law Center, Inc. d/b/a CDA Law Center, and Robert G.
3 Scurrah, Jr., hereby authorize entry of a judgment under the following terms:

4 **Factual Basis for Judgment**

5 The State of Washington, Department of Financial Institutions, and Consumer Debt
6 Advocates Law Center, Inc. d/b/a CDA Law Center, and Robert G. Scurrah, Jr., have agreed
7 upon a basis for resolution of the matters alleged in Statement of Charges No. C-12-0894-12-
8 SC01 (Statement of Charges), entered December 12, 2012. Consumer Debt Advocates Law
9 Center, Inc. d/b/a CDA Law Center, and Robert G. Scurrah, Jr., have agreed to enter into a
10 Confession of Judgment, pursuant to chapter 4.60 RCW, in the amount of \$9,300 of which
11 they shall be jointly and severally liable for paying the entire \$9,300, which shall be paid to the
12 State of Washington, Department of Financial Institutions.

13 **Authorization for Entry of Judgment**

14 I, Robert G. Scurrah, Jr., being duly sworn upon oath, acknowledge my debt and the
15 debt of Consumer Debt Advocates Law Center, Inc., d/b/a CDA Law Center of \$9,300 to the
16 State of Washington, Department of Financial Institutions, and I authorize entry of judgment
17 against Consumer Debt Advocates Law Center, Inc. d/b/a CDA Law Center, and Robert G.
18 Scurrah, Jr., and for the amount set forth in the judgment summary above.

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20 DATED this 16th day of January, 2014.

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23 Robert G. Scurrah, Jr.

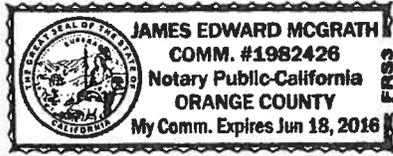
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26 DFI CASE NO. C-12-0894-13-CO01

CONFESSION OF JUDGMENT
CONSUMER DEBT ADVOCATES LAW
CENTER, INC., d/b/a CDA LAW
CENTER, and
ROBERT G. SCURRAH, JR.

1 SUBSCRIBED AND SWORN TO before me in Orange, California this 16
2 day of January, 2014.



[REDACTED]
3
4 Notary Public in and for the State of
5 California, residing at Orange Co,
6 California
7 My Commission expires: June 18, 2016

8 **Order for Entry**

9 The above Confession of Judgment having been presented to this Court for entry in
10 accordance with RCW 4.60.070, the Court having found said Confession of Judgment to be
11 sufficient, now, therefore, it is hereby

12 ORDERED that the Clerk of this Court shall forthwith enter Judgment against Consumer
13 Debt Advocates Law Center, Inc. d/b/a CDA Law Center, and Robert G. Scurrah, Jr. in
14 accordance with the terms of the Confession of Judgment.

15 DONE IN OPEN COURT this ____ day of _____, 2014.

16 _____
17 JUDGE/COURT COMMISSIONER

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26 DFI CASE NO. C-12-0894-13-CO01

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ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100 Olympia, WA 98504-0100
(360) 664-9006

CONFESSION OF JUDGMENT
CONSUMER DEBT ADVOCATES LAW
CENTER, INC., d/b/a CDA LAW
CENTER, and
ROBERT G. SCURRAH, JR.

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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:

CONSUMER DEBT ADVOCATE LAW
CENTER, INC., d/b/a CDA LAW CENTER, and
ROBERT G. SCURRAH, JR.,

Respondents.

No. C-12-0894-12-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER AN
ORDER TO CEASE AND DESIST,
PROHIBIT FROM INDUSTRY, ORDER
RESTITUTION, IMPOSE FINE, AND
COLLECT INVESTIGATION FEE

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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). 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:

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I. FACTUAL ALLEGATIONS

1.1 Respondents.

A. **Consumer Debt Advocate Law Center, Inc. (CDA)** has never been licensed by the
Department of Financial Institutions to conduct business as mortgage broker or loan originator in the
state of Washington. Respondent CDA is incorporated in the state of California with a registered
address of 25212 Marguerite Parkway, 2nd Floor, Mission Viejo, California, 92692.

B. **Robert G. Scurrah, Jr., (Scurrah)** has never been licensed by the Department of
Financial Institutions to conduct business as a mortgage broker or loan originator in the state of
Washington. Respondent Scurrah is a licensed attorney with the California Bar Association, bar

1 number 82766. Respondent Scurrah is not licensed with the Washington State Bar Association and is
2 not licensed to practice law in the state of Washington.

3 **1.2 Unlicensed Activity.** Between at least March 2009 and July 2010, Respondents assisted or
4 held itself out as able to assist at least 28 consumers in applying to obtain a loan modification on at
5 least 28 properties located in the state of Washington. The consumers involved paid Respondents
6 fees totaling at least \$61,679. To date Respondents have never been licensed by the Department to
7 engage in the business of a mortgage broker or loan originator.

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

9 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,
10 “Mortgage broker” means any person who, for compensation or gain, or in the expectation of
11 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage
12 loan or (b) holds himself or herself out as being able to assist a person in obtaining or applying to
13 obtain a residential mortgage loan.

14 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11) and WAC 208-660-006,
15 “Loan originator” means a natural person who for direct or indirect compensation or gain, or in the
16 expectation of direct or indirect compensation or gain: takes a residential mortgage loan application
17 for a mortgage broker; offers or negotiates terms of a mortgage loan; performs residential mortgage
18 loan modification services; or holds themselves out to the public as able to perform any of these
19 activities.

20 **2.3 Definition of Borrower.** Pursuant to RCW 19.146.010(3) and WAC 208-660-006,
21 “Borrower” means any person who consults with or retains a mortgage broker or loan originator in an
22 effort to obtain or seek advice or information on obtaining or applying to obtain a residential
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1 mortgage loan for himself, herself, or persons including himself or herself, regardless of whether the
2 person actually obtains such a loan.

3 **2.4 Definition of Residential Mortgage Loan Modification.** Pursuant to RCW 19.146.010(20)
4 and WAC 208-660-006, "Residential mortgage loan modification" means a change in one or more of
5 a residential mortgage loan's terms or conditions. Changes to a residential mortgage loan's terms or
6 conditions include but are not limited to forbearances; repayment plans; changes in interest rates, loan
7 terms, or loan types; capitalization of arrearages; or principal reductions.

8 **2.5 Definition of Residential Mortgage Loan Modification Services.** Pursuant to RCW
9 19.146.010(21) and WAC 208-660-006, "Residential mortgage loan modification services" includes
10 negotiating, attempting to negotiate, arranging, attempting to arrange, or otherwise offering to
11 perform a residential mortgage loan modification. "Residential mortgage loan modification services"
12 also includes the collection of data for submission to any entity performing mortgage loan
13 modification services.

14 **2.6 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
15 Allegations set forth in Section I above, Respondent CDA is in apparent violation of RCW
16 19.146.200(1) and WAC 208-660-155 for engaging in the business of a mortgage broker without first
17 obtaining and maintaining a license under the Act.

18 **2.7 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
19 Allegations set forth in Section I above, Respondent Scurrah is in apparent violation of RCW
20 19.146.200(1) and WAC 208-660-155 for engaging in the business of a loan originator without first
21 obtaining and maintaining a license under the Act.

22 **2.8 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
23 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a

1 location that is on file with and readily available to the Department until at least twenty-five months
2 have elapsed following the effective period to which the books and records relate.

3 III. AUTHORITY TO IMPOSE SANCTIONS

4 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
5 Director may issue orders directing a licensee, its employee, loan originator, independent contractor,
6 agent, or other person subject to the Act to cease and desist from conducting business.

7 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
8 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a
9 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed
10 mortgage broker or any person subject to licensing under the Act for any violation of RCW
11 19.146.200.

12 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
13 restitution against licensees or other persons subject to the Act for any violation of the Act.

14 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(3), the Director may impose fines
15 on an employee, loan originator, independent contractor, or agent of the licensee, or other person
16 subject to the Act, for any violations of RCW 19.146.200.

17 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-
18 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour
19 for an examiner's time devoted to an investigation of a licensee or other person subject to the Act.

20 IV. NOTICE OF INTENTION TO ENTER ORDER

21 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,
22 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
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1 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR
2 HEARING accompanying this Statement of Charges.

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4 Dated this 10th day of December, 2012.



5 [Redacted signature]

6 DEBORAH BÖRTNER
7 Director
8 Division of Consumer Services
9 Department of Financial Institutions

10 Presented by:

11 [Redacted signature]

12 DEBORAH FAELLIUS
13 Financial Legal Examiner

14 Approved by:

15 [Redacted signature]

16 CHARLES CLARK
17 Enforcement Chief

1 **APPENDIX A: RESTITUTION SCHEDULE**

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Borrower	Amount
J.A. & S.N.	\$2,495
K.A.	\$2,495
J.B.& L.B.	\$1,150
W.B.	\$2,000
W.C. & L.C.	\$2,500
J.C &A.C.	\$2,495
C.E	\$300
G.F. & S.F.	\$1,500
D.F & J. F.	\$2,495
R.G.	\$2,995
K.G & K.G.	\$2,495
R.H & K.H.	\$2,295
R.H. & K.H.	\$2,000
D.K. & J.K.	\$1,200
J.M.	\$2,500
L.M.	\$2,599
H.N.	\$2,995
M.P & Z.P.	\$2,795
J.P.	\$2,500
E.S & C.S.	\$2,500

1	C.S. & E.S.	\$2,495
2	W.S.	\$2,300
3	D.S.	\$2,500
4	A.V. & E.V.	\$1,995
5	J.V. & B.N.	\$1,500
6	J.W. & K.W.	\$1,595
7	Z.W & R.W.	\$2,995
8	C.W.	\$1,995

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TOTAL \$61,679