# STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS CONSUMER SERVICES DIVISION

IN THE MATTER OF DETERMINING Whether there has been a violation of the Escrow Agent Registration Act of Washington by:

C-12-0938-14-TD01

BARRETT ESCROW, INC. and JENNY A. BARRETT, 50% Owner and Designated Escrow Officer, TEMPORARY ORDER TO CEASE AND DESIST AND TAKE AFFIRMATIVE ACTION

Respondents.

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THE STATE OF WASHINGTON TO:

Barrett Escrow, Inc. Jenny A. Barrett

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 an order to cease and desist, enters this Temporary Order to Cease and Desist and Take Affirmative Action (TCD) pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act), based on the following findings:

#### I. FACTUAL FINDINGS

- 1.1 Respondent Barrett Escrow, Inc. (Respondent Barrett Escrow) is licensed to engage in the business of an Escrow Agent by the State of Washington Department of Financial Institutions (Department) pursuant to the Act.
- 1.2 Respondent Jenny A. Barrett (Respondent Barrett) is 50% owner and the Designated Escrow Officer of Respondent Barrett Escrow. Respondent Barrett was licensed as an escrow officer during all periods relevant to this Order.

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## III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST

3.1 Authority to Issue Temporary Order to Cease and Desist. Pursuant to RCW 18.44.440, if the Director determines that a person has violated any provision of the Act or has violated any order or rule of the Director the Director may issue an order requiring the person to cease and desist from the unlawful practice and to take such affirmative action as in the judgment of the director will carry out the purposes of the Act. The Director is authorized to issue a temporary order to cease and desist whenever the Director makes a finding, in writing, that the public interest will be irreparably harmed by delay in issuing a cease and desist order.

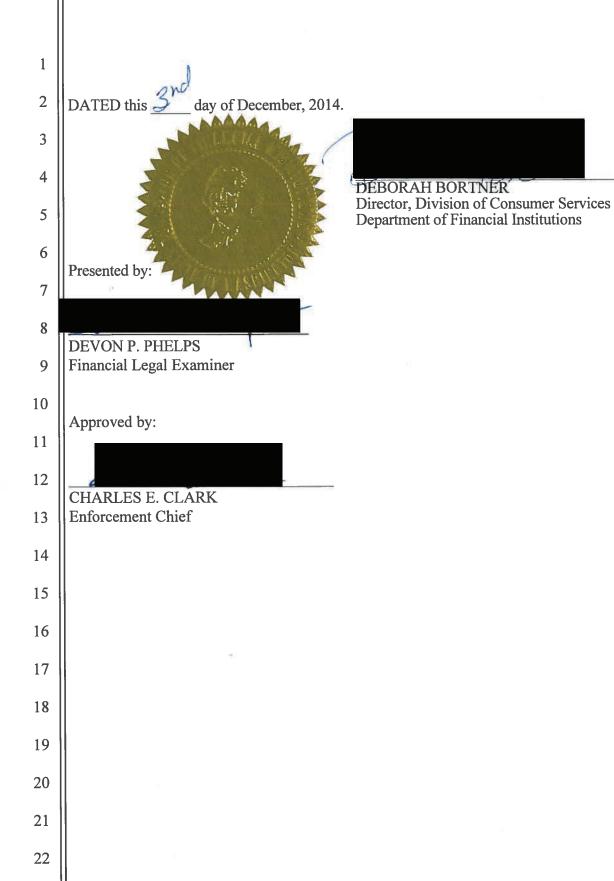
### IV. ORDER

Based on the above Factual Findings, Grounds for Entry of Order, and Authority, and pursuant to RCW 18.44.440, the Director finds that the public interest will be irreparably harmed by delay in issuing a cease and desist order. Therefore, the Director ORDERS that:

- **4.1** Respondents Barrett Escrow, Inc. and Jenny A. Barrett cease and desist from accepting new escrow or contract collection clients.
- 4.2 Respondents Barrett Escrow, Inc. and Jenny A. Barrett resolve or transfer all open escrow files and transfer all contract collection accounts within 60 days.
- **4.3** Respondents Barrett Escrow, Inc. and Jenny A. Barrett, within 15 days of completion of escrow services, provide the Department with copies of all escrow documents for all escrow settlements that were not transferred.
- 4.4 Respondents Barrett Escrow, Inc. and Jenny A. Barrett, within 5 business days of issuance of this TCD, provide written notice to all principals of open escrows or contract collection accounts of the receipt of the TCD. The notice shall include the reason for the issuance of the TCD and the estimated date for completing the escrow. The notice shall also afford the principals the right to transfer or withdraw the escrow or transfer the contract collection account.
- 4.5 This order shall take effect immediately and shall remain in effect unless set aside, limited, or suspended in writing by an authorized court.

**NOTICE** 

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2	PURSUANT TO CHAPTER 18.44 RCW, YOU ARE ENTITLED TO A HEARING TO
3	DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU DESIRE A
4	HEARING, THEN YOU MUST RETURN THE ACCOMPANYING APPLICATION FOR
5	ADJUDICATIVE HEARING, INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO
6	COMPLETE AND RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO
7	THAT IT IS RECEIVED BY THE DEPARTMENT WITHIN TWENTY (20) DAYS OF THE DATE
8	THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND WILL
9	RESULT IN THE LOSS OF YOUR RIGHT TO A HEARING AND THE ENTRY OF A
10	PERMANENT ORDER TO CEASE AND DESIST ON THE 21ST DAY FOLLOWING SERVICE OF
11	THIS ORDER UPON YOU. SERVICE ON YOU IS DEFINED AS POSTING IN THE U.S. MAIL,
12	POSTAGE PREPAID, TO YOUR LAST KNOWN ADDRESS.
13	WITHIN 10 DAYS AFTER YOU HAVE BEEN SERVED WITH THIS TCD, YOU MAY
14	APPLY TO THE SUPERIOR COURT IN THE COUNTY OF YOUR PRINCIPAL PLACE OF
15	BUSINESS FOR AN INJUNCTION SETTING ASIDE, LIMITING, OR SUSPENDING THIS
16	ORDER PENDING THE COMPLETION OF THE ADMINISTRATIVE PROCEEDINGS
17	PURSUANT TO THIS NOTICE.
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