

ORDER SUMMARY – Case Number: C-12-1044

Name(s): Brit Sales and Investments, LLC d/b/a Brit Processing;
Ralph M. Harvey; Ivette Harvey

Order Number: C-12-1044-14-CO01

Effective Date: July 7, 2014

License Number: Brit Sales and Investments, LLC NMLS ID: 389050
Or NMLS Identifier [U/L] R. Harvey – NMLS 307170; I. Harvey – NMLS 342366

License Effect: none

Not Apply Until: July 7, 2024

Not Eligible Until: July 7, 2024

Prohibition/Ban Until: July 7, 2024

Investigation Costs	\$1000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 06/27/14
Fine	\$	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	\$1,600	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 06/27/14
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:	1			

Comments: Final Order C-12-1044-14-FO01 is withdrawn.

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

BRIT SALES AND INVESTMENTS, LLC d/b/a
BRIT PROCESSING;
RALPH M. HARVEY, Managing Member; and
IVETTE HARVEY, Managing Member,

Respondents.

No.: C-12-1044-14-CO01

**CONSENT ORDER WITHDRAWING
FINAL ORDER**

THIS MATTER has come before the Director of the Department of Financial Institutions (Director) at the request of Brit Sales and Investments, LLC d/b/a Brit Processing (“Brit Processing”), Ralph M. Harvey, Managing Member, and Ivette Harvey, Managing Member (jointly “Respondents”) to withdraw Final Order C-12-1044-14-FO01 and enter into a Consent Order resolving the matters alleged in Statement of Charges C-12-1044-13-SC01(Statement of Charges), and it appearing that said Final Order resulted from Respondents’ failure to appear at a hearing on February 6, 2014,¹ and it further appearing that prior to said hearing Respondents had reached a settlement-in-principal resolving the matters alleged in the Statement of Charges but were unable to meet the agreed financial obligations, and Respondents now representing that they are presently able to meet the remedial and financial provisions set forth below, and it appearing to the Director that entry of this Consent Order is in the interests of justice, the parties now 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:

¹ The hearing was held in Tacoma, Washington, and Respondents are located in Florida.

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 the above-referenced Statement of Charges (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, 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 entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

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

B. Waiver of Hearing. It is AGREED that Respondents waived their right to a hearing and any and all administrative and judicial review of the issues raised in this matter by virtue of their failure to appear for hearing on February 6, 2014.

C. Withdrawal of Final Order. It is AGREED that Final Order C-09-219-10-FO01 is withdrawn.

D. Prohibition from Industry. It is AGREED that for a period of 10 years from the date of entry of this Consent Order, Respondents are prohibited from participating, in any capacity, in the conduct of the affairs of any mortgage broker or consumer loan company licensed by the Department or subject to licensure or regulation by the Department. It is further AGREED that this prohibition shall only apply to Washington consumers and property.

E. Restitution. It is AGREED that Respondent Brit Processing shall pay restitution in the amount of \$1,600 to the Washington consumer identified in paragraph 1.2 of the Statement of Charges. Payment will be in the form of a cashier's check made payable to the consumer and will be

1 sent to the consumer via Federal Express overnight mail to an address which shall be provided to
2 Respondents by the Department. A copy of the cashier's check shall be provided to the Department
3 upon entry of this Consent Order.

4 **F. Rights of Non-Parties.** It is AGREED that the Department does not represent or have the
5 consent of any person or entity not a party to this Consent Order to take any action concerning their
6 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent
7 Order, this Consent Order does not limit or create any private rights or remedies against Respondents,
8 limit or create liability of Respondents, or limit or create defenses of Respondents to any claims.

9 **G. Investigation Fee.** It is AGREED that Respondent Brit Processing shall pay to the
10 Department an investigation fee of \$1,000 in the form of a cashier's check made payable to the
11 "Washington State Treasurer" upon entry of this Consent Order.

12 **H. Records Retention.** It is AGREED that Respondents shall maintain records in
13 compliance with the Act and provide the Director with the location of the books, records and other
14 information relating to Respondent's loan modification business, and the name, address and
15 telephone number of the individual responsible for maintenance of such records in compliance with
16 the Act.

17 **I. Authority to Execute Order.** It is AGREED that the undersigned have represented and
18 warranted that they have the full power and right to execute this Consent Order on behalf of the
19 parties represented.

20 **J. Non-Compliance with Order.** It is AGREED that this Consent Order shall be null and
21 void should either cashier's checks referenced in paragraphs E and G above be non-negotiable or
22 otherwise result in the failure of the intended recipient to collect the represented funds. It is further
23 AGREED that Respondents understand that failure to abide by the terms and conditions of this

24 Consent Order may result in further legal action by the Director. In the event of such legal action,

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

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

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

7 **RESPONDENTS:**

8 **Brit Sales and Investments, LLC d/b/a Brit Processing**

9 By: [REDACTED]

10 Ralph M. Harvey
11 Member

6/23/14
Date

12 [REDACTED]
13 Ivette Harvey
14 Member

6/23/14
Date

15 [REDACTED]
16 Ralph M. Harvey
17 Individually

6/23/14
Date

18 [REDACTED]
19 Ivette Harvey
20 Individually

6/23/14
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 7th DAY OF July, 2014.



Scott Jarvis
Director
Department of Financial Institutions



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

No.: C-12-1044-14-FO01

BRIT SALES AND INVESTMENTS, LLC d/b/a
BRIT PROCESSING;
RALPH M. HARVEY, Managing Member; and
IVETTE HARVEY, Managing Member,

FINAL ORDER

Respondents.

I. DIRECTOR'S CONSIDERATION

Procedural History. This matter has come before the DIRECTOR OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS OF THE STATE OF WASHINGTON ("Director"), pursuant to RCW 34.05.440(2). On March 19, 2013, the Director, through his designee, Consumer Services Division Director Deborah Bortner, issued a Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist Business, Prohibit from Industry, Order Restitution, Impose Fine, and Collect Investigation Fee ("Statement of Charges") against BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT PROCESSING, RALPH M. HARVEY, and IVETTE HARVEY ("Respondents"). On March 28, 2013, the DEPARTMENT OF FINANCIAL INSTITUTIONS ("Department") served Respondents Brit Sales and Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey with the Statement of Charges and accompanying documents, sent by First-Class mail and Federal Express overnight delivery. The Statement of Charges was accompanied by a cover letter dated March 28, 2013, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondents Brit Sales and Investments, LLC d/b/a Brit

1 Processing, Ralph M. Harvey, and Ivette Harvey. On April 15, 2013, Respondents Brit Sales and
2 Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey filed Applications for
3 Adjudicative Hearing.

4 On May 13, 2013, the Department made a request to the Office of Administrative Hearings
5 (“OAH”) to assign an Administrative Law Judge (“ALJ”) to schedule and conduct a hearing on the
6 Statement of Charges. On May 31, 2013, OAH issued a Notice of Conference assigning ALJ Mark
7 Kim (“ALJ Kim”) to preside over prehearing and hearing proceedings and issue an Initial Decision.
8 The Notice of Conference also set a prehearing conference date of July 17, 2013, at 9:00 a.m.

9 On July 17, 2013, all parties attended a telephonic prehearing conference. On July 24, 2013,
10 ALJ Kim issued a Notice of Hearing and Scheduling Order scheduling a hearing on February 6
11 through the 7, 2014 at 9:00 a.m. That Order stated: **“If you do not participate in any stage of the**
12 **proceedings or if you fail to appear at your hearing, you may be held in default and may**
13 **automatically lose your case. RCW 34.05.440.”**

14 On February 6, 2014, the hearing was convened by ALJ Kim at 9 a.m. Respondents Brit
15 Sales and Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey failed to
16 appear and the Department moved for an order of default dismissing the administrative appeal. On
17 February 25, 2014, ALJ Kim issued an Initial Order of Default (“Order of Default”) dismissing
18 Respondents Brit Sales and Investments, LLC d/b/a Brit Processing’s, Ralph M. Harvey’s, and Ivette
19 Harvey’s administrative appeal. On February 25, 2014, ALJ Kim sent the Order of Default to
20 Respondents Brit Sales and Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette
21 Harvey via First-Class mail.

22 Pursuant to RCW 34.05.440(3), Respondents Brit Sales and Investments, LLC d/b/a Brit
23 Processing, Ralph M. Harvey, and Ivette Harvey had seven (7) days from the date of service of the
24 Order of Default to file a written motion with OAH requesting that the Order of Default be vacated,

1 and stating the grounds relied upon. Respondents Brit Sales and Investments, LLC d/b/a Brit
2 Processing, Ralph M. Harvey, and Ivette Harvey did not make a request to vacate during the statutory
3 period.

4 Pursuant to RCW 34.05.464 and WAC 10-08-211, Respondents Brit Sales and Investments,
5 LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey had twenty (20) days from the date
6 of service of the Order of Default to file a Petition for Review of the Order of Default. Respondents
7 Brit Sales and Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey did not
8 file a Petition for Review during the statutory period.

9 A. Record Presented. The record presented to the Director for his review and for entry of
10 a final decision included the following:

- 11 1. Statement of Charges, cover letter dated March 28, 2013, and Notice of
12 Opportunity to Defend and Opportunity for Hearing, with documentation of
service.
- 13 2. Applications for Adjudicative Hearing for Respondents Brit Sales and
14 Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey.
- 15 3. Request to OAH for Assignment of Administrative Law Judge.
- 16 4. Notice of Conference dated May 31, 2013, with documentation of service.
- 17 5. Notice of Hearing and Scheduling Order dated July 24, 2013, with documentation
of service.
- 18 6. Initial Order of Default dated February 25, 2014, with documentation of service.

19 B. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(2), the Director
20 hereby adopts the Statement of Charges, which is attached hereto.

21 II. FINAL ORDER

22 Based upon the foregoing, and the Director having considered the record and being otherwise
23 fully advised, NOW, THEREFORE:

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2 A. IT IS HEREBY ORDERED, That:

- 3 1. Respondents, BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
4 PROCESSING, RALPH M. HARVEY, and IVETTE HARVEY, are prohibited
5 from participation, in any manner, in the conduct of the affairs of any mortgage
6 broker subject to licensure by the Director for a period of five (5) years.
- 7 2. Respondents, BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
8 PROCESSING, RALPH M. HARVEY, and IVETTE HARVEY, shall jointly and
9 severally pay One Thousand Six Hundred Dollars (\$1,600.00) in restitution to
10 Washington consumer R.S.S., identified in paragraph 1.2 of the Statement of
11 Charges.
- 12 3. Respondents, BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
13 PROCESSING, RALPH M. HARVEY, and IVETTE HARVEY, shall jointly and
14 severally pay to the Washington State Department of Financial Institutions, within
15 thirty (30) days of receipt of this order, a fine of Three Thousand Dollars
16 (\$3,000.00).*
- 17 4. Respondents, BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
18 PROCESSING, RALPH M. HARVEY, and IVETTE HARVEY, shall jointly and
19 severally pay to the Washington State Department of Financial Institutions, within
20 thirty (30) days of receipt of this order, an investigation fee of Five Hundred
21 Seventy-Six Dollars (\$576).*
- 22 5. Respondent, BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
23 PROCESSING, its officers, employees, and agents maintain records in compliance
24 with chapter 19.146 RCW, the Mortgage Broker Practices Act ("Act") and provide
the Director with the location of the books, records and other information relating
to the provision by BRIT SALES AND INVESTMENTS, LLC d/b/a BRIT
PROCESSING of residential loan modification services in Washington, and the
name, address and telephone number of the individual responsible for maintenance
of such records in compliance with the Act.

19 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents Brit Sales and
20 Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey have the right to file a
21 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
22 must be filed in the Office of the Director of the Department of Financial Institutions by courier at

23 _____
24 * The combined fine and investigation fee may be paid together in the form of a cashier's check in the amount of \$ 3,576 made payable to the
"Washington State Treasurer".

1 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
2 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents Brit
3 Sales and Investments, LLC d/b/a Brit Processing, Ralph M. Harvey, and Ivette Harvey. The Petition
4 for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration
5 a prerequisite for seeking judicial review in this matter.

6 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the
7 date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a
8 written notice specifying the date by which it will act on a petition.

9 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
10 effectiveness of this order. Any such requests should be made in connection with a Petition for
11 Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

12 D. Judicial Review. Respondents Brit Sales and Investments, LLC d/b/a Brit Processing,
13 Ralph M. Harvey, and Ivette Harvey have the right to petition the superior court for judicial review of
14 this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a
15 Petition for Judicial Review, see RCW 34.05.510 and sections following.

16 E. Non-compliance with Order. If Respondents Brit Sales and Investments, LLC d/b/a
17 Brit Processing, Ralph M. Harvey, and Ivette Harvey do not comply with the terms of this order,
18 including payment of any amounts owed within thirty (30) days of receipt of this order, the
19 Department may seek its enforcement by the Office of the Attorney General to include the collection
20 of the fines, fees, and restitution imposed herein. The Department also may assign the amounts owed
21 to a collection agency for collection.

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1 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
2 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
3 attached hereto.

4 DATED this 9th day of April, 2014.



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6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS
8 [REDACTED]
9 SCOTT JARVIS
10 Director
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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:

BRIT SALES AND INVESTMENTS, LLC d/b/a
BRIT PROCESSING;
RALPH M. HARVEY, Managing Member; and
IVETTE HARVEY, Managing Member,

Respondents.

No. C-12-1044-13-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO CEASE AND DESIST
BUSINESS, PROHIBIT FROM
INDUSTRY, ORDER RESTITUTION,
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). 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. Brit Sales and Investments, LLC d/b/a Brit Processing (Respondent Brit) has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker.

B. Ralph M. Harvey (Respondent R. Harvey) is a Managing Member of Brit. During the relevant time period, Respondent R. Harvey was not licensed by the Department to conduct business as a mortgage broker or loan originator.

1 **C. Ivette Harvey (Respondent I. Harvey)** is a Managing Member of Brit. During the
2 relevant time period, Respondent I. Harvey was not licensed by the Department to conduct business as
3 a mortgage broker or loan originator.

4 **1.2 Unlicensed Activity.** In or around May 2009, Respondents were offering residential mortgage
5 loan modification services to Washington consumers on property located in Washington State.
6 Respondents entered into a contractual relationship with at least one Washington consumer to provide
7 those services and collected an advance fee for the provision of those services. The Department has
8 received at least one complaint from a Washington consumer alleging Respondents provided or
9 offered to provide residential mortgage loan modification services while not licensed by the
10 Department to provide those services. Consumer R.S.S. paid Respondents a fee of \$1,600.

11 **1.3 Misrepresentations and Omissions.** Respondents represented that they were licensed to
12 provide the residential mortgage loan modification services or omitted disclosing that they were not
13 licensed to provide those services.

14 **1.4 On-Going Investigation.** The Department's investigation into the alleged violations of the
15 Act by Respondents continues to date.

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

17 **2.1 Mortgage Broker Defined.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,
18 "Mortgage Broker" means any person who, for compensation or gain, or in the expectation of
19 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage loan
20 or (b) holds himself or herself out as being able to make a residential mortgage loan or assist a person
21 in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-006, a
22 person "'assists a person in obtaining or applying to obtain a residential mortgage loan' by, among
23 other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan packages...."

1 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), "loan originator" means a
2 natural person who for direct or indirect compensation or gain, or in the expectation of direct or
3 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker;
4 offers or negotiates terms of a mortgage loan; or holds themselves out to the public as able to perform
5 any of these activities.

6 **2.3 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
7 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive practice
8 toward any person and obtaining property by fraud or misrepresentation.

9 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
10 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
11 for engaging in the business of a mortgage broker for Washington residents or property without first
12 obtaining a license to do so.

13 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
14 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
15 for engaging in the business of a loan originator without first obtaining and maintaining a license.

16 **2.6 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
17 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a
18 location that is on file with and readily available to the Department until at least twenty-five months
19 have elapsed following the effective period to which the books and records relate.

20 **III. AUTHORITY TO IMPOSE SANCTIONS**

21 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
22 Director may issue orders directing any person subject to the Act to cease and desist from conducting
23 business.

1 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
2 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker
3 any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9) or
4 (13), or RCW 19.146.200.

5 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
6 restitution against any person subject to the Act for any violation of the Act.

7 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
8 against any person subject to the Act for any violation of the Act.

9 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), and WAC 208-
10 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time devoted
11 to an investigation of any person subject to the Act.

12 **IV. NOTICE OF INTENT TO ENTER ORDER**

13 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as
14 set forth above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,
15 and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

16 **4.1** Respondents cease and desist engaging in the business of a mortgage broker or loan originator.

17 **4.2** Respondents be prohibited from participation, in any manner, in the conduct of the affairs of
18 any mortgage broker subject to licensure by the Director for a period of five years.

19 **4.3** Respondents jointly and severally pay restitution to the one consumer identified by the
20 Department in paragraph 1.2 in the amount set forth therein, and that Respondents jointly and
21 severally pay restitution to each Washington consumer with whom they entered into a contract
for residential mortgage loan modification services related to real property or consumers
located in the state of Washington equal to the amount collected from that Washington
consumer for those services in an amount to be determined at hearing.

22 **4.4** Respondents jointly and severally pay a fine, which as of the date of this Statement of Charges
totals \$3,000.

23 **4.5** Respondents jointly and severally pay an investigation fee, which as of the date of this
24 Statement of Charges totals \$576.

1 4.6 Respondents maintain records in compliance with the Act and provide the Department with the
2 location of the books, records and other information relating to Respondents' provision of
3 residential mortgage loan modification services in Washington, and the name, address and
telephone number of the individual responsible for maintenance of such records in compliance
with the Act.

4 **V. AUTHORITY AND PROCEDURE**

5 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
6 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05
7 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as
8 set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
9 accompanying this Statement of Charges.

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11 Dated this 19th day of March, 2013.



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DEBORAH BORTNER
Director, Division of Consumer Services
Department of Financial Institutions

21 Presented by:


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DEVON P. PHELPS
Financial Legal Examiner

Approved by:

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CHARLES E. CLARK
Enforcement Chief