

Terms Completed

ORDER SUMMARY – Case Number: C-13-1194

Name: Anil Neil Prasad

Order Number: C-13-1194-14-CO01

Effective Date: 3/24/2014

License Number: DFI: 25376 NMLS ID: 92271
Or NMLS Identifier [U/L] _____

License Effect: Application Withdrawn

Not Apply Until: March 27, 2016

Not Eligible Until: March 27, 2016

Prohibition/Ban Until: March 27, 2016

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)	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$0	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:	N/A		

Comments: _____

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING the
Mortgage Loan Originator Application under the
Consumer Loan Act of Washington by:

No.: C-13-1194-14-CO01

CONSENT ORDER

ANIL NEIL PRASAD, NMLS #92271

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Deborah Bortner, Division Director, Division of Consumer Services, and Anil Neil Prasad
(Respondent), 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 31.04 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
Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges
No. C-13-1194-13-SC01 (Statement of Charges), entered March 27, 2013, (copy attached hereto).
Pursuant to chapter 31.04 RCW, the Consumer Loan Act (Act), and RCW 34.05.060 of the
Administrative Procedure Act, Respondent 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.

Based upon the foregoing:

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

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

6 **C. Withdrawal of Application for License.** It is AGREED that Respondent will withdraw
7 his application for a mortgage loan originator license.

8 **D. Prohibition from Industry.** It is AGREED that Respondent is prohibited from
9 participating, in any capacity, in the conduct of the affairs of any consumer loan company licensed by
10 the Department or subject to licensure or regulation by the Department until March 27, 2016.

11 **E. Application for License.** It is AGREED that Respondent shall not apply to the
12 Department for any license under any name prior to March 27, 2016. It is further AGREED that,
13 should Respondent apply to the Department for any license under any name at any time following
14 March 27, 2016, Respondent shall be required to meet any and all application requirements in effect
15 at that time.

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

20 **G. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this
21 Consent Order, which is effective when signed by the Director's designee.

22 **H. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read
23 this Consent Order in its entirety and fully understands and agrees to all of the same.

1 **RESPONDENT:**

2 [Redacted]

03/24/2014
Date

3 Anil Neil Prasad
4 Individually

DO NOT WRITE BELOW THIS LINE

5 THIS ORDER ENTERED THIS 24th DAY OF MARCH, 2014.



7 [Redacted]

8 DEBORAH BORTNER
9 Director, Division of Consumer Services
10 Department of Financial Institutions

11 Presented by:

12 [Redacted]

13 ROBERT E. JONES
14 Financial Legal Examiner

15 Approved by:

16 [Redacted]

17 CHARLES E. CLARK
18 Enforcement Chief

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF INVESTIGATING the
5 Mortgage Loan Originator License Application
6 under the Consumer Loan Act of Washington by:

7 ANIL NEIL PRASADI, NMLS #92271

8 Respondent.

No.: C-13-1194-13-SC01

9 STATEMENT OF CHARGES and
10 NOTICE OF INTENTION TO ENTER AN
11 ORDER TO DENY LICENSE
12 APPLICATION AND PROHIBIT FROM
13 INDUSTRY

14 INTRODUCTION

15 Pursuant to RCW 31.04.165 and RCW 31.04.168, the Director of the Department of Financial
16 Institutions of the State of Washington (Director) is responsible for the administration of chapter
17 31.04 RCW, the Consumer Loan Act (Act)¹. After having conducted an investigation pursuant to
18 RCW 31.04.055 and 31.04.145, and based upon the facts available as of the date of this Statement of
19 Charges, the Director, through his designee, Division of Consumer Services Director Deborah
20 Bortner, institutes this proceeding and finds as follows:

21 I. FACTUAL ALLEGATIONS

22 **1.1 Anil Neil Prasad (Respondent Prasad)** submitted an application to the Department of
23 Financial Institutions of the State of Washington (Department) for a mortgage loan originator license
24 under Legacy Group Lending, Inc., a consumer loan company licensed under the Act. The license
application was received by the Department, through the Nationwide Mortgage Licensing System and
Registry (NMLS), on or about December 3, 2012.

1.2 Prior Administrative Action. Respondent Prasad was the owner and Designed Broker of
Sandhya, Inc. d/b/a Unity Funding Group (Sandhya), a licensed Mortgage Broker. Respondent
Prasad and Sandhya were the subject of two administrative enforcement actions. On November 9,

¹ RCW 31.04 (Amended 2009; Effective January 1, 2010)

1 2009, the Department entered a Final Order to Cease and Desist (C-09-349-09-FO02) against
2 Respondent Prasad and against Sandhya for violations of the Mortgage Broker Practices Act, RCW
3 19.146. Also on November 9, 2009, the Department entered a Final Order (C-09-349-09-FO01)
4 against Respondent Prasad and against Sandhya for violations of the Mortgage Broker Practices Act².

5 **1.3 Prior Criminal Acts.** On or about March 31, 2008, Respondent Prasad plead guilty to
6 [REDACTED], a violation of RCW [REDACTED] and [REDACTED], a felony.

7 **1.4 Responses to Application Questions.** The "Criminal Disclosure" section of the Uniform
8 Individual Mortgage License/Registration & Consent form (Form MU4) consists of four questions.
9 The required New Application Checklist includes the following instruction: "Provide complete
10 details of all events or proceedings for any "Yes" answer to any of the disclosure questions on your
11 MU4 filing." Respondent answered "no" to the following question on the "Criminal Disclosure"
12 section of his form MU4:

- 13 • (F)(1) Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in
14 a domestic, foreign, or military court to any felony?

15 Respondent Prasad was obligated by statute to answer questions on the Form MU4 truthfully and to
16 provide the Department with complete details of all events or proceedings. Respondent attested,
17 under penalty of perjury, to the accuracy and completeness of the Form MU4.

18 **1.5 Responses to Application Questions.** The "Regulatory Action Disclosure" section of the
19 Uniform Individual Mortgage License/Registration & Consent form (Form MU4) consists of five
20 questions. The required New Application Checklist includes the following instruction: "Provide
21 complete details of all events or proceedings for any "Yes" answer to any of the disclosure questions
22

23 _____
24 ² On January 29, 2013, the Department entered a Consent Order withdrawing the above Final Orders and a Temporary Order to Cease and Desist.
However, at the time Respondent submitted his application both Final Orders were still in effect.

1 on your MU4 filing.” Respondent answered “no” to the following questions on the Regulatory
2 Action Disclosure” section of his form MU4:

- 3 • (K) Has any State or federal regulatory agency or foreign financial regulatory authority or
4 self-regulatory organization (SRO) ever:
- 5 • (1) found you to have been involved in a violation of a financial services-related business
6 regulation(s) or statute(s)?
- 7 • (3) found you to have been a cause of a financial services-related business having its
8 authorization to do business denied, suspended, revoked or restricted?
- 9 • (4) entered an order against you in connection with a financial services-related activity?
- 10 • (6) Denied or suspended your registration or license or application for licensure,
11 disciplined you, or otherwise by order, prevented you from associating with a financial
12 services-related business or restricted your activities?
- 13 • (7) Barred you from association with an entity regulated by such commissions, authority,
14 agency, or officer, or from engaging in a financial services-related business?
- 15 • (9) entered an order concerning you in connection with any license or registration?

16 Respondent Prasad was obligated by statute to answer questions on the Form MU4 truthfully and to
17 provide the Department with complete details of all events or proceedings. Respondent attested,
18 under penalty of perjury, to the accuracy and completeness of the Form MU4.

19 **1.6 Financial Responsibility, Character, and General Fitness.** Respondent has not
20 demonstrated financial responsibility, character, and general fitness as evidenced by Respondent’s
21 false statements to the Department regarding his eligibility for a Mortgage Loan Originator license.

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

2 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section
3 I above, Respondent fails to meet the requirements of RCW 31.04.247(1)(d) and WAC 208-620-
4 710(4)(c) by having been convicted of a felony within seven years preceding the filing of the present
5 application.

6 **2.2 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness.**
7 Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the
8 requirements of RCW 31.04.247(1)(e) and WAC 208-620-710(4)(a) by failing to demonstrate
9 character and general fitness such as to command the confidence of the community and to warrant a
10 belief that the business will be operated honestly, fairly, and efficiently within the purposes of the
11 Act.

12 **2.3 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,
13 Respondent is in apparent violation of RCW 31.04.027(8), RCW 31.04.241(2), and WAC 208-620-
14 550(5) for not furnishing information pertaining to personal history and experience in a form
15 prescribed by the NMLS.

16 **2.4 Requirement to Provide Information on License Application.** Based on the Factual
17 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
18 31.04.234 and 31.04.241(2) by failing to provide an accurate license application in the form
19 prescribed by the Director and by NMLS.

20 **III. AUTHORITY TO IMPOSE SANCTIONS**

21 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW
22 31.04.247(2), the Director may deny licenses to applicants. Pursuant to RCW 31.04.247(2), the
23

1 Director shall not issue a license if the conditions of RCW 31.04.247(1) have not been met by the
2 applicant, and shall notify the applicant of the denial.

3 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 31.04.093(6), the Director may
4 issue orders removing from office or prohibiting from participation in the conduct of the affairs of
5 any licensee, or both, any officer, principal, employee, or loan originator of any person subject to this
6 chapter for false statements or omission of material information from an application for a license that,
7 if known, would have allowed the director to deny the original application for a license; conviction of
8 a gross misdemeanor involving dishonesty or financial misconduct or a felony; suspension or
9 revocation of a license to engage in lending, or perform a settlement service related to lending, in this
10 state or another state; or a violation of RCW 31.04.027.

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

12 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
13 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
14 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.055, RCW 31.04.093, RCW
15 31.04.165, RCW 31.04.168, and RCW 31.04.247. Therefore, it is the Director's intention to ORDER
16 that:

17 **4.1** Respondent Anil Neil Prasad's application for a mortgage loan originator license be
18 denied.

19 **4.2** Respondent Anil Neil Prasad be prohibited from participation in the conduct of the
20 affairs of any mortgage loan originator subject to licensure by the Director under
21 chapter 31.04 and chapter 19.146, in any manner, for seven years.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intention to Enter an Order to Deny License
3 Application and Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions
4 of RCW 31.04.093, RCW 31.04.165, RCW 31.04.168, and RCW 31.04.202, and is subject to the
5 provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondent may make a
6 written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND
7 OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

8
9 Dated this 27th day of March, 2013



10 [Redacted signature]

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

15 Presented by:

16 [Redacted signature]

17 ROBERT E. JONES
18 Financial Legal Examiner

19 Approved by:

20 [Redacted signature]

21 STEVEN C. SHERMAN
22 Financial Legal Examiner Supervisor