

ORDER SUMMARY – Case Number: C-13-1226

Name(s): Nations Lending Corporation

Order Number: C-13-1226-14-CO01

Effective Date: June 9, 2014

License Number: DFI: 53065 NMLS ID: #32416

Or NMLS Identifier

License Effect: N/A

Not Apply Until: N/A

Not Eligible Until: N/A

Prohibition/Ban Until: N/A

Investigation Costs	\$12,659.88	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 6/6
Fine	\$12,340.12	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 6/6
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
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:				

Comments: Respondent neither admits nor denies any wrongdoing by entry of the Consent Order. Respondent will cease and desist from advertising in a way that violates the Act. The Department will conduct one compliance examination a year for the next two years.

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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
Consumer Loan Act of Washington by:

No.: C-13-1226-14-CO01

CONSENT ORDER

NATIONS LENDING CORPORATION,
NMLS #32416,

Respondent.

8 COMES NOW the Director of the Department of Financial Institutions (Director), through his
9 designee Deborah Bortner, Division Director, Division of Consumer Services, and Nations Lending
10 Corporation (Respondent NLC), and finding that the issues raised in the above-captioned matter may
11 be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order
12 is entered pursuant to chapter 31.04 of the Revised Code of Washington (RCW), and RCW 34.05.060
13 of the Administrative Procedure Act, based on the following:

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FINDINGS OF FACT

1.1 The Department of Financial Institutions, Division of Consumer Services (Department)
conducted an examination beginning on December 16, 2013, of 112 print advertisements used or sent
by Respondent NLC from May 1, 2012, to October 31, 2013.

1.2 The examination revealed that Respondent NLC's advertisements sent during the above
referenced time period contained numerous violations of the Consumer Loan Act (Act).

CONCLUSIONS OF LAW

2.1 Based on the above Findings of Fact, Respondent NLC violated RCW 31.04.027(2) and (13),
RCW 31.04.135, WAC 208-620-550(4), WAC 208-620-622(4), WAC 208-620-630(6), (7), and (8),
and WAC 208-620-710(27) by using deceptive or misleading statements in advertisements and
failing to comply with all applicable federal laws.

CONSENT ORDER
C-13-1226-14-CO01
NATIONS LENDING CORPORATION

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 **AGREEMENT AND ORDER**

2 The Department and Respondent NLC have agreed upon a basis for resolution of the Findings
3 of Fact and Conclusions of Law identified in this Consent Order. Pursuant to chapter 31.04 RCW,
4 the Consumer Loan Act, and RCW 34.05.060 of the Administrative Procedure Act, Respondent NLC
5 hereby agrees to the Department's entry of this Consent Order and further agrees that the issues
6 raised in the above-captioned matter may be economically and efficiently settled by entry of this
7 Consent Order. Respondent NLC neither admits nor denies any wrongdoing by its entry.

8 Based upon the foregoing:

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

11 **B. Waiver of Hearing.** It is AGREED that Respondent NLC hereby waives any right it has
12 to a hearing and any and all administrative and judicial review of the issues raised in this matter, or of
13 the resolution reached herein.

14 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the
15 Findings of Fact and Conclusions of Law and agree that Respondent NLC neither admits nor denies
16 any wrongdoing by its entry.

17 **D. Cease and Desist.** It is AGREED that Respondent NLC will cease and desist from
18 advertising in a way that violates the Act.

19 **E. Compliance Examinations.** It is AGREED that the Department will conduct one (1)
20 compliance examination a year for the next two (2) years; said examinations to be conducted by the
21 Department at the Department's discretion following five (5) business days' written notice to
22 Respondent NLC and pursuant to the requirements of RCW 31.04.145. It is also AGREED that
23 Respondent NLC will pay all costs associated with the examination within 30 days of receipt of an
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1 invoice. It is further AGREED that Respondent NLC will promptly respond to and address any and
2 all issues identified in the compliance examination to the satisfaction of the Department.

3 **F. Fine.** It is AGREED that Respondent NLC shall pay a fine to the Department in the
4 amount of \$12,340.12, in the form of a cashier's check made payable to the "Washington State
5 Treasurer," upon entry of this Consent Order.

6 **G. Investigation Fee.** It is AGREED that Respondent NLC shall pay to the Department an
7 investigation fee of \$12,659.88, in the form of a cashier's check made payable to the "Washington
8 State Treasurer," upon entry of this Consent Order. The Fine and Investigation Fee may be paid
9 together in one \$25,000 cashier's check made payable to the "Washington State Treasurer."

10 **H. Authority to Execute Order.** It is AGREED that the undersigned has represented and
11 warranted that he has the full power and right to execute this Consent Order on behalf of Respondent
12 NLC.

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

17 **J. Voluntarily Entered.** It is AGREED that Respondent NLC has voluntarily entered into
18 this Consent Order, which is effective when signed by the Director's designee.

19 **K. Completely Read, Understood, and Agreed.** It is AGREED that Respondent NLC's
20 representative has read this Consent Order in its entirety and fully understands and agrees to all of the
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1 **RESPONDENT:**
2 **Nations Lending Corporation**

3 By:

4 [Redacted]
5 William L. Osborne Jr.
6 President

6/3/14
Date

7 Approved for Entry:

8 [Redacted]
9 Anthony Sharett
10 Bricker & Eckler, LLP
11 Attorney for Respondent

6/3/14
Date

12 DO NOT WRITE BELOW THIS LINE

13 THIS ORDER ENTERED THIS 9th DAY OF June, 2014.



14 [Redacted]
15 DEBORAH BORTNER
16 Director, Division of Consumer Services
17 Department of Financial Institutions

18 Presented by:

19 [Redacted]
20 DEVON P. PHELPS
21 Financial Legal Examiner

22 Approved by:

23 [Redacted]
24 CHARLES E. CLARK
Enforcement Chief