

ORDER SUMMARY – Case Number: C-13-1348

Name(s): The Foreclosure Law Center, P.C.
Law Offices Of Drew Alia, P.C. d/b/a The Alia Law Group
Drew Alia

Order Number: C-13-1348-14-FO01

Effective Date: March 13, 2014

License Number: Unlicensed Entities
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: _____

Not Apply Until: March 13, 2019

Not Eligible Until: March 13, 2019

Prohibition/Ban Until: March 13, 2019

Investigation Costs	\$2,112	Due:	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$5,000	Due:	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Assessment(s)	\$NA	Due: NA	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$3,000	Due:	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Judgment	\$NA	Due: NA	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:		One (1)		

Comments: Respondents are ordered to cease and desist engaging in the business of a mortgage broker or loan originator, are prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director for a period of five (5) years, and are ordered to maintain records in compliance with the Mortgage Broker Practices Act.

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

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

No.: C-13-1348-14-FO01

7 THE FORECLOSURE LAW CENTER, P.C.,
8 LAW OFFICES OF DREW ALIA, P.C. d/b/a
9 THE ALIA LAW GROUP, and
10 DREW ALIA, Owner,

FINAL ORDER

11 Respondents.

12 I. DIRECTOR'S CONSIDERATION

13 A. Default. This matter has come before the Director of the Department of Financial
14 Institutions of the State of Washington (Director), through his designee, Consumer Services Division
15 Director Deborah Bortner (Director's designee), pursuant to RCW 34.05.440(1). On February 5,
16 2014, the Director, through the Director's designee, issued a Statement of Charges and Notice of
17 Intention to Enter an Order To Cease And Desist, Prohibit From Industry, Order Restitution, Impose
18 Fine, And Collect Investigation Fee (Statement of Charges) against The Foreclosure Law Center,
19 P.C., Law Offices Of Drew Alia, P.C. d/b/a The Alia Law Group, and Drew Alia (Respondents). A
20 copy of the Statement of Charges is attached and incorporated into this order by this reference. The
21 Statement of Charges was accompanied by a cover letter dated February 7, 2014, a Notice of
22 Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative
23 Hearing for Respondents (collectively, accompanying documents).

24 On February 7, 2014, the Department served Respondents with the Statement of Charges and
accompanying documents by First-Class mail and Federal Express overnight delivery. On February

FINAL ORDER
C-13-1348-14-FO01
THE FORECLOSURE LAW CENTER, P.C.,
LAW OFFICES OF DREW ALIA, P.C. D/B/A THE ALIA
LAW GROUP, AND
DREW ALIA

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

1 10, 2014, the documents sent by Federal Express overnight delivery were delivered. The documents
2 sent by First-Class mail were not returned to the Department by the United States Postal Service.

3 Respondents did not request an adjudicative hearing within twenty calendar days after the
4 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for
5 in WAC 208-08-050(2).

6 B. Record Presented. The record presented to the Director's designee for her review and
7 for entry of a final decision included the following: Statement of Charges, cover letter dated February
8 7, 2014, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for
9 Adjudicative Hearing for Respondents, with documentation for service.

10 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the
11 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

12 II. FINAL ORDER

13 Based upon the foregoing, and the Director's designee having considered the record and being
14 otherwise fully advised, NOW, THEREFORE:

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
17 Drew Alia cease and desist from engaging in the business of a mortgage broker or
loan originator.
- 18 2. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
19 Drew Alia are prohibited from participation, in any manner, in the conduct of the
20 affairs of any mortgage broker subject to licensure by the Director for a period of
21 five (5) years.
- 22 3. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
Drew Alia jointly and severally pay restitution to Washington consumer S.O. in
the amount of \$3,000.

- 1 4. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
2 Drew Alia jointly and severally pay a fine in the amount of \$5,000.
- 3 5. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
4 Drew Alia jointly and severally pay an investigation fee in the amount of \$2,112.
- 5 6. Respondents The Foreclosure Law Center, P.C., The Alia Law Group, P.C., and
6 Drew Alia maintain records in compliance with the Mortgage Brokers Practices
7 Act (Act) and provide the Department with the location of the books, records, and
8 other information relating to Respondents' provision of residential mortgage loan
9 modification services in Washington, and the name, address, and telephone
10 number of the individual responsible for maintenance of such records in
11 compliance with the Act.

12 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a
13 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
14 must be filed in the Office of the Director of the Department of Financial Institutions by courier at
15 150 Israel Road SW, Tumwater, Washington, 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
16 Washington, 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The
17 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
18 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

1 D. Judicial Review. Respondents have the right to petition the superior court for judicial
2 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for
3 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

4 E. Non-compliance with Order. If Respondents do not comply with the terms of this
5 order, **including payment of any amounts owed within 30 days of receipt of this order**, the
6 Department may seek its enforcement by the Office of the Attorney General to include the collection
7 of the fines, fees, and restitution imposed herein. The Department also may assign the amounts owed
8 to a collection agency for collection.

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

12 DATED this 13th day of March, 2014.



14 STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

15 [Redacted Signature]
16 DEBORAH BORTNER
17 Director
18 Division of Consumer Services

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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:

THE FORECLOSURE LAW CENTER, P.C.,
LAW OFFICES OF DREW ALIA, P.C. D/B/A
THE ALIA LAW GROUP, AND
DREW ALIA, OWNER,

Respondents.

No. C-13-1348-14-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

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 (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. **The Foreclosure Law Center, P.C. (Respondent Foreclosure Law Center)** was never licensed by the Department of Financial Institutions of the State of Washington (the Department) to conduct business as a mortgage broker or loan originator.

B. **Law Offices of Drew Alia, P.C. d/b/a The Alia Law Group (Respondent Alia Law Group)** has never been licensed by the Department to conduct business as a mortgage broker or loan originator.

1 C. **Drew Alia (Respondent Drew Alia)** is the owner of Respondent Alia Law Group.
2 During the relevant time period, Respondent Drew Alia was not licensed by the Department to
3 conduct business as a mortgage broker or loan originator. Respondent Drew Alia has never been
4 licensed to practice law in the state of Washington.

5 **1.2 Unlicensed Activity.** Between at least May 29, 2012, and the date of the Statement of
6 Charges, Respondents were offering residential mortgage loan modification services to Washington
7 consumers on property located in Washington State. Respondents entered into a contractual
8 relationship with at least one Washington consumer to provide those services and collected an
9 advance fee for the provision of those services. The Department has received at least one complaint
10 from a Washington consumer alleging Respondents provided or offered to provide residential
11 mortgage loan modification services while not licensed by the Department to provide those services.
12 Washington consumer S.O. paid Respondents a fee of \$3,000.

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

16 **1.4 On-Going Investigation.** The Department's investigation into the alleged violations of the
17 Act by Respondents continues to date.

18 II. GROUNDS FOR ENTRY OF ORDER

19 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,
20 "Mortgage broker" means any person who, for compensation or gain, or in the expectation of
21 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage
22 loan or (b) holds himself or herself out as being able to assist a person in obtaining or applying to
23 obtain a residential mortgage loan.

1 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11) and WAC 208-660-006,
2 “Loan originator” means a natural person who for direct or indirect compensation or gain, or in the
3 expectation of direct or indirect compensation or gain: takes a residential mortgage loan application
4 for a mortgage broker; offers or negotiates terms of a mortgage loan; performs residential mortgage
5 loan modification services; or holds themselves out to the public as able to perform any of these
6 activities.

7 **2.3 Definition of Residential Mortgage Loan Modification.** Pursuant to RCW 19.146.010(20)
8 and WAC 208-660-006, “Residential mortgage loan modification” means a change in one or more of
9 a residential mortgage loan’s terms or conditions. Changes to a residential mortgage loan’s terms or
10 conditions include but are not limited to forbearances; repayment plans; changes in interest rates, loan
11 terms, or loan types; capitalization of arrearages; or principal reductions.

12 **2.4 Definition of Residential Mortgage Loan Modification Services.** Pursuant to RCW
13 19.146.010(21) and WAC 208-660-006, “Residential mortgage loan modification services” includes
14 negotiating, attempting to negotiate, arranging, attempting to arrange, or otherwise offering to
15 perform a residential mortgage loan modification. “Residential mortgage loan modification services”
16 also includes the collection of data for submission to any entity performing mortgage loan
17 modification services.

18 **2.5 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
19 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive
20 practice toward any person and obtaining property by fraud or misrepresentation.

21 **2.6 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
22 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)

1 and WAC 208-660-155 for engaging in the business of a mortgage broker without first obtaining and
2 maintaining a license under the Act.

3 **2.7 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
4 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
5 and WAC 208-660-155 for engaging in the business of a loan originator without first obtaining and
6 maintaining a license under the Act.

7 **2.8 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
8 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a
9 location that is on file with and readily available to the Department until at least twenty-five months
10 have elapsed following the effective period to which the books and records relate.

11 **III. AUTHORITY TO IMPOSE SANCTIONS**

12 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
13 Director may issue orders directing a licensee, its employee, loan originator, independent contractor,
14 agent, or other person subject to the Act to cease and desist from conducting business.

15 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
16 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a
17 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed
18 mortgage broker or any person subject to licensing under the Act for any violation of this chapter.

19 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
20 restitution against licensees or other persons subject to the Act for any violation of this chapter.

21 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
22 against any person subject to the Act for any violation of this chapter.

1 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-
2 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour
3 for an examiner's time devoted to an investigation of a licensee or other person subject to the Act.

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

5 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as
6 set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
7 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, and
8 RCW 19.146.223. Therefore, it is the Director's intention to ORDER that:

9 **4.1** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia
10 cease and desist engaging in the business of a mortgage broker or loan originator.

11 **4.2** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia be
12 prohibited from participation, in any manner, in the conduct of the affairs of any mortgage
13 broker subject to licensure by the Director for a period of five (5) years.

14 **4.3** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia
15 jointly and severally pay restitution to the Washington consumer S.O. in the amount of
16 \$3,000.

17 **4.4** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia
18 jointly and severally pay a fine. As of the date of this Statement of Charges, the fine totals
19 \$5,000.

20 **4.5** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia
21 jointly and severally pay an investigation fee. As of the date of this Statement of Charges,
22 the investigative fee totals \$2,112.

23 **4.6** Respondents Foreclosure Law Center, P.C., Alia Law Group, P.C., and Drew Alia
24 maintain records in compliance with the Act and provide the Department with the location of
the books, records and other information relating to Respondents' provision of 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.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
3 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter
4 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a
5 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR
6 HEARING accompanying this Statement of Charges.

7 Dated this 5th day of February, 2014.



8 [Redacted signature]

9 **DEBORAH BORTNER**
10 Director
11 Division of Consumer Services
12 Department of Financial Institutions

13 Presented by:

14 [Redacted signature]

15 **BARBARA PENTTILA**
16 Financial Legal Examiner

17 Approved by:

18 [Redacted signature]

19 **CHARLES E. CLARK**
20 Enforcement Chief