

TERMS COMPLETED

ORDER SUMMARY – Case Number: C-13-1385

Name(s): Mortgage Opportunity Group, Inc.

Order Number: C-13-1385-14-CO01

Effective Date: February 25, 2014

License Number: _____
Or NMLS Identifier [U/L] _____

License Effect: none

Not Apply Until: N/A

Not Eligible Until: N/A

Prohibition/Ban Until: N/A

Investigation Costs	\$276	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 2/19/2014
Fine	\$25,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 1/29/2015
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 checked="" type="checkbox"/> N		
No. of Victims:				

Comments: _____

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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:

Mortgage Opportunity Group, Inc.,

Respondent.

No.: C-13-1385-14-CO01

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Mortgage Opportunity Group (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 Revised Code of Washington (RCW) 31.04, the Consumer Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

FINDINGS OF FACT

1.1 On or about August 8, 2008, Respondent obtained a license from the Department of Financial Institutions of the State of Washington (Department) to conduct the business of a mortgage broker. Respondent's mortgage broker license expired on December 31, 2013.

1.2 Respondent has never obtained a consumer loan license in accordance with the Act from the Department.

1.3 From at least July 2012 through October 2013, Respondent made at least 95 residential mortgage loans secured by real property located in the state of Washington.

1.4 On or about November 19, 2013, Respondent submitted an application to the Department to engage in the business of a consumer loan company under the Act, and the application is pending.

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CONSENT ORDER
C-13-1385-14-CO01
MORTGAGE OPPORTUNITY GROUP, INC.

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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 **CONCLUSIONS OF LAW**

2 **2.1** Based on the above Findings of Fact, Respondent violated RCW 31.04.035 by engaging in the
3 business of a consumer loan company in the state of Washington without first obtaining and
4 maintaining a license in accordance with the Act or meeting an exclusion from the Act under RCW
5 31.04.025.

6 **AGREEMENT AND ORDER**

7 The Department and Respondent have agreed upon a basis for resolution of the Findings of
8 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.04.093(7) and
9 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further
10 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
11 Consent Order. Respondent hereby admits the Findings of Fact and Conclusions of Law identified in
12 this Consent Order.

13 Based upon the foregoing:

- 14 **A. Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
15 activities discussed herein.
- 16 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has to a hearing
17 and any and all administrative and judicial review of the issues raised in this matter or the resolution
18 reached herein.
- 19 **C. Consumer Loan License Required.** Subject to Paragraph G of this Consent Order, it is
20 AGREED that Respondent understands that in order to make loans to Washington State residents,
21 Respondent must obtain a consumer loan license in accordance with the Act or qualify for an
22 exemption from licensing as delineated in the Act. It is further AGREED that Respondent provided
23

1 the Department with assurance that Respondent would not accept any new applications for loans until
2 such time as Respondent obtains a license in accordance with the Act.

3 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
4 \$25,000, within twelve months from the date of entry of this Consent Order. The Fine shall be paid
5 in the form of a cashier's check made payable to the "Washington State Treasurer."

6 **E. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the
7 Department in the amount of \$276 in the form of a cashier's check made payable to the "Washington
8 State Treasurer" upon entry of this Consent Order.

9 **F. Records Retention.** It is AGREED that Respondent, its officers, employees, and agents shall
10 maintain records in compliance with the Act and provide the Director with the location of the books,
11 records and other information relating to Respondent's consumer loan business conducted prior to
12 licensure, and the name, address and telephone number of the individual responsible for maintenance
13 of such records in compliance with the Act.

14 **G. Application for Consumer Loan License.** It is AGREED that the entry of this Consent
15 Order will not preclude Respondent from obtaining a consumer loan license pursuant to Respondent's
16 pending consumer loan license application with the Department. It is further AGREED that upon
17 payment to the Department of the sum required under paragraph E of this Consent Order, SO LONG
18 AS all requirements under chapter 31.04 RCW and 208-620 WAC are satisfactorily met and the
19 application is complete as determined by the Department, the Department will process Respondent's
20 pending consumer loan license application in due course. Respondent will be timely notified of any
21 additional licensing requirements. Respondent agrees to timely respond to any such requests.

22 **H. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to
23 abide by the terms and conditions of this Consent Order may result in further legal action by the

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

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

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

7 **K. Authority to Execute Order.** It is AGREED that the undersigned authorized representative
8 has represented and warranted that he has the full power and right to execute this Consent Order on
9 behalf of Respondent.

10

11 **RESPONDENT:**
12 Mortgage Opportunity Group, Inc.
13 By:

[Redacted signature]

13

14 Justin Smith
15 Owner and Designated Broker

2-18-14
Date

15

16 **APPROVED FOR ENTRY:**
17 By:

[Redacted signature]

17

18 A. Michelle Canter
19 Attorney for Respondent
20 LotsteinLegal, PLLC

2/18/2014
Date

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DO NOT WRITE BELOW THIS LINE

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1 THIS ORDER ENTERED THIS 25th DAY OF February, 2014.



2 [Redacted signature]

3 DEBORAH BORTNER
4 Director
5 Division of Consumer Services
6 Department of Financial Institutions

7 Presented by:

8 [Redacted signature]

9 DEBORAH TAEILLIOUS
10 Financial Legal Examiner

11 Approved by:

12 [Redacted signature]

13 CHARLES E. CLARK
14 Enforcement Chief