

Terms Completed

ORDER SUMMARY – Case Number: C-13-1390

Name(s): Andre Dwayne Jones

Order Number: C-13-1390-14-CO01

Effective Date: May 20, 2014

License Number: DFI: 32075 NMLS ID: 153257
Or NMLS Identifier [U/L]

License Effect: Withdrawn

Not Apply Until: May 20, 2019

Not Eligible Until: May 20, 2019

Prohibition/Ban Until: May 20, 2019 *

Investigation Costs	\$6,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 5/19/14
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	\$	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: _____

Mr. Jones may not originate, process, or underwrite any loan subject to DFI authority, nor directly supervise any loan originator, processor, or underwriter in connection with any loan subject to DFI authority. * (Prohibited until 3/30/2026 under C-14-1565-16-CO07)

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

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

No. C-13-1390-14-CO01

CONSENT ORDER

ANDRE DWAYNE JONES, NMLS #153257,
Respondent.

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COME NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Andre Dwayne Jones, by and through his attorney, John L. Bley, 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 19.146 of the Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

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I. FINDINGS OF FACT

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1.1 Respondent Andre Dwayne Jones (Respondent) applied to the Department of Financial Institutions (Department) to renew his license to conduct business as a loan originator in Washington under the Mortgage Broker Practices Act (Act). The renewal request was received by the Department from the Nationwide Multi-State Licensing System on or about November 15, 2013.

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1.2 Nationwide Multi-State Licensing System. All applications for licensure under the Act must be filed through the Nationwide Multi-State Licensing System (NMLS). Each applicant must complete NMLS's *Uniform Individual Mortgage License/Registration & Consent Form* (Form MU4), which requires disclosure of personal identifying information, ten years of residential history, ten years of employment history, and any other businesses the applicant is engaged in. In addition, each applicant must answer a series of disclosure questions reporting adverse financial, criminal,

1 civil, regulatory, and other events. Each Form MU4 requires the applicant to attest under penalty of
2 perjury that the information and statements contained in the Form MU4 file are current, true,
3 accurate, and complete. Furthermore, to the extent that any information on a prior Form MU4 is not
4 amended, the applicant must attest under penalty of perjury that the prior information remains
5 accurate and complete. Applicants are required to keep their information on Form MU4 current, to
6 timely file accurate supplementary information, and to comply with the applicable state law relating
7 to the license being sought.

8 **1.3 Prior Regulatory Actions.** On or about June 15, 2013, Respondent applied to the Georgia
9 State Department of Banking and Finance (GDBF) through NMLS for a loan originator license. The
10 GDBF conducted an investigation of the application and determined that Respondent did not meet
11 the minimum requirements for licensure. On or about November 7, 2013, the GDBF entered a *Final*
12 *Order of Denial of Application for Mortgage Loan Originator's License* (Final Order) denying
13 Respondent's application for a loan originator license. The GDBF found that Respondent had
14 purposely withheld information and made a false statement or material misrepresentation to the
15 GDBF, and to the NMLS, by failing to disclose an affiliation with another business. The GDBF
16 further concluded that Respondent had not demonstrated financial responsibility, character, and
17 general fitness such as to command the confidence of the community and to warrant a determination
18 by the GDBF that he would operate honestly, fairly, and efficiently within the purposes of the
19 Georgia Residential Mortgage Act. The GDBF identified the un-disclosed business as Quality
20 Mortgage Leads, LLC, a company solely owned and operated by Respondent.

21 The Final Order was served on Respondent on or about November 12, 2013. Respondent
22 immediately had his Form MU4 updated to reflect the GDBF's Final Order.

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1 **1.4 False Statements or Omissions of Material Fact.** Upon receipt of the GDBF's Final Order,
2 Respondent was required to amend the answers to all applicable disclosure questions on Form MU4.
3 On or about November 15, 2013, the date the Department received the request to renew his loan
4 originator license, Respondent's Form MU4 did not fully disclose the GDBF's Final Order, and
5 contained omissions of material fact or false statements. Respondent's Form MU4 also failed to
6 disclose his ownership of and employment with Quality Mortgage Leads, LLC. Respondent falsely
7 attested under penalty of perjury that the information and statements in his Form MU4 were
8 "current, true, accurate and complete."

9 **II. CONCLUSIONS OF LAW**

10 **2.1** Based on the above Findings of Fact, Respondent fails to meet the requirements for licensure
11 by the Department under RCW 19.146.300(1), RCW 19.146.300(2), and RCW 19.146.310(1)(b) by
12 failing to provide a license application in the form prescribed by the Director.

13 **III. AGREEMENT AND ORDER**

14 **3.1** The Department and Respondent have agreed upon a basis for resolution of the matters alleged
15 in the foregoing Findings of Fact and Conclusions of Law, intend this Consent Order to fully resolve
16 this matter, and hereby agree to the entry of this Consent Order.

17 Based upon the foregoing:

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

20 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of his right to a
21 hearing before an administrative law judge, and hereby waives his right to a hearing and any and all
22 administrative and judicial review of the issues raised in, or resolution of, this matter.

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1 **C. No Admission of Liability.** It is AGREED that Respondent neither admits nor denies the
2 foregoing Findings of Fact.

3 **D. Withdrawal of Loan Originator License Application.** It is AGREED that upon entry of
4 this Consent Order Respondent's application for a loan originator license is voluntarily withdrawn.

5 **E. Prohibition from Industry.** It is AGREED that, for a period of five years from the date of
6 entry of this Consent Order, Respondent is prohibited from participating in any conduct which
7 would require licensure under the Act, including originating, processing, or underwriting any loan
8 subject the Department's regulatory authority. In addition, for a period of five years from the date of
9 entry of this Consent Order, Respondent is prohibited from directly supervising any person in
10 connection with loan origination activities for Washington residents, including but not limited to
11 originating, processing, or underwriting any loan subject to the Department's regulatory authority.

12 **F. Application for License.** It is AGREED that, for a period of five years from the date of
13 entry of this Consent Order, Respondent shall not apply to the Department under any name for any
14 license issued by the Department. It is further AGREED that, should Respondent apply to the
15 Department for any license more than five years from the date of entry of this Consent Order,
16 Respondent shall be required to meet any and all application requirements in effect at that time.

17 **G. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an
18 investigation fee of \$6,000, in the form of a cashier's check made payable to the "Washington State
19 Treasurer," upon entry of this Consent Order.

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

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

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

5 **RESPONDENT:**

6 **Andre Dwayne Jones**

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8 /s/
Andre Dwayne Jones

5/9/14
Date

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10 **APPROVED AS TO FORM:**

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12 /s/
John L. Bley, WSBA No. 15230
13 Foster Pepper, LLC
Attorneys for Respondent

5/9/14
Date

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15 THIS ORDER ENTERED THIS 20th DAY OF May, 2014.

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18 /s/
DEBORAH BORTNER
19 Director, Division of Consumer Services
Department of Financial Institutions

20 Presented by:

Approved by:

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22 /s/
Anthony W. Carter
23 Financial Legal Examiner

/s/
Charles E. Clark
Enforcement Chief