

Terms Completed

ORDER SUMMARY – Case Number: C-14-1469

Name(s): Silverado Funding LLC

Order Number: C-14-1469-14-CO01

Effective Date: June 17, 2014

License Number: DFI: 88159 NMLS ID: 292152
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: Respondent's license application may continue to be processed

Not Apply Until: N/A

Not Eligible Until: N/A

Prohibition/Ban Until: N/A

Investigation Costs	\$1,080	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 06/12/14
Fine	\$5,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 06/12/14
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:

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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-14-1469-14-CO01

CONSENT ORDER

SILVERADO FUNDING LLC,
NMLS #292152,

Respondent.

COME NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Silverado Funding LLC, (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:

FINDINGS OF FACT

1.1 Respondent has not previously obtained a consumer loan license in accordance with chapter 31.04 RCW, the Consumer Loan Act (Act), from the Department of Financial Institutions of the State of Washington (Department).

1.2 Since at least March 21, 2013, Respondent has engaged in the business of a consumer loan company in the State of Washington.

1.3 On or about January 9, 2014, Respondent voluntarily submitted an application to the Department to engage in the business of a consumer loan company under the Act, and the application is pending. During the application process, Respondent represented making and servicing one residential mortgage loan in Washington prior to submitting an application for licensure.

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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 exemption 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 the Act and RCW
9 34.05.060 of the Administrative Procedure Act, Respondent and the Department agree to entry of this
10 Consent Order and further agree that the matters alleged herein may be economically and efficiently
11 settled by entry of this Consent Order.

12 Based upon the foregoing:

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

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

18 **C. Consumer Loan License Required.** Subject to paragraph G of this Consent Order, it is
19 AGREED that Respondent understands that in order to make and service consumer loans in
20 Washington, Respondent must obtain a consumer loan license in accordance with the Act or qualify
21 for an exclusion from licensing as delineated in the Act. It is further AGREED that on or about
22 April 23, 2014, Respondent agreed to cease making consumer loans to Washington consumers until
23 Respondent obtains a consumer loan license or meets an exemption under the Act.

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1 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
2 \$5,000, in the form of a cashier's check made payable to the "Washington State Treasurer," upon
3 entry of this Consent Order.

4 **E. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an
5 investigation fee of \$1,080, in the form of a cashier's check made payable to the "Washington State
6 Treasurer," upon entry of this Consent Order. The Fine and Investigation Fee may be paid together
7 in one \$6,080 cashier's check made payable to the "Washington State Treasurer."

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

13 **G. Application for Consumer Loan License.** It is AGREED that the entry of this Consent
14 Order will not preclude Respondent from obtaining a consumer loan license pursuant to Respondent's
15 pending consumer loan license application with the Department and that, SO LONG AS Respondent
16 complies with the terms and conditions of this Consent Order, this Consent Order resolves and settles
17 all violations of the Act arising from Respondent engaging in the business of a consumer loan
18 company without a consumer loan license occurring from March 21, 2013, until the time Respondent
19 is issued a license or its application is denied. It is further AGREED that upon payment to the
20 Department of the sums required under paragraphs D and E of this Consent Order, SO LONG AS all
21 requirements under chapter 31.04 RCW and 208-620 WAC are satisfactorily met and the application
22 is complete as determined by the Department, the Department will process Respondent's pending
23 consumer loan license application in due course. Respondent will be timely notified of any
24 additional licensing requirements. Respondent agrees to timely respond to any such requests.

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

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

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

9 **K. Authority to Execute Order.** It is AGREED that the undersigned have represented and
10 warranted that they have the full power and right to execute this Consent Order on behalf of the
11 parties represented.

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1 **RESPONDENT:**
Silverado Funding LLC

2 By:

3 [Redacted Signature]

4 David Scott
Managing Owner

6-9-14
Date

6 **DO NOT WRITE BELOW THIS LINE**

7 THIS ORDER ENTERED THIS 17th DAY OF June, 2014.



9 [Redacted Signature]

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

13 Presented by:

14 [Redacted Signature]

15 RACHELLE VILLALOBOS
16 Financial Legal Examiner

17 Approved by:

18 [Redacted Signature]

19 CHARLES E. CLARK
Enforcement Chief