

ORDER SUMMARY – Case Number: C-18-2405

Name(s): Stephanie Nikole DiPietro

Order Number: C-18-2405-18-FO01

Effective Date: October 15, 2018

License Number: NMLS ID #1680892
Or NMLS Identifier [U/L]

License Effect: Prohibited for 7 years; license denied

Not Apply Until: _____

Not Eligible Until: _____

Prohibition/Ban Until: 10/15/2025

Investigation Costs	\$ 729.60	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
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
Financial Literacy and Education	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Cost of Prosecution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

Comments: _____

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

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IN THE MATTER OF INVESTIGATING:
The loan originator license application under the
Mortgage Broker Practices Act of Washington by:

STEPHANIE NIKOLE DIPIETRO,
NMLS ID #1680892,

Respondent.

No.: C-18-2405-18-FO01

FINAL ORDER

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I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through her designee, Consumer Services Division Director Charles E. Clark (Director's designee), pursuant to RCW 34.05.440(1). On May 24, 2018, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intent to Enter an Order to Deny Application for License, Prohibit from the Industry, Collect Investigation Fee, and Recover Costs and Expenses for Prosecution (Statement of Charges) against Stephanie Nikole DiPietro (Respondent). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated May 25, 2018, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On May 25, 2018, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery to one address and by First-Class mail only to a P.O. Box address. On May 29, 2018, Federal Express reported that the documents sent by Federal Express were undeliverable to one address. The documents sent by First-Class mail to the address reported by Federal Express were returned to the Department as

1 undeliverable. The Statement of Charges and accompanying documents sent to the other address (the
2 P.O. Box) were not returned to the Department by the United States Postal Service. On August 29,
3 2018, the Department received confirmation from the Westminster, Maryland Branch Office of the
4 United States Post Office that mail addressed to Respondent was being delivered to the P.O. Box
5 address.

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

9 B. Record Presented. The record presented to the Director's designee for his review and
10 for entry of a final decision included the following:

- 11 1. Statement of Charges, cover letter dated May 25, 2018, Notice of Opportunity to
12 Defend and Opportunity for Hearing, and blank Application for Adjudicative
Hearing for Respondent, with documentation for service.
- 13 2. Post Office Address Verification Request form completed by the Westminster,
14 Maryland Branch Office of the United States Post Office received by the
Department on August 29, 2018.

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

17 II. FINAL ORDER

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

20 A. IT IS HEREBY ORDERED, That:

- 21 1. Respondent Stephanie Nikole DiPietro's application for a license to conduct the
22 business of Loan Originator is denied.
- 23 2. Respondent Stephanie Nikole DiPietro is prohibited from participation in the
conduct of the affairs of any mortgage broker subject to licensure by the Director,
24 in any manner, for a period of seven years.

1 3. Respondent Stephanie Nikole DiPietro pay an investigation fee of \$729.60.

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3 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
4 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
5 must be filed in the Office of the Director of the Department of Financial Institutions by courier at
6 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
7 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
8 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
9 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

16 D. Judicial Review. Respondent has the right to petition the superior court for judicial
17 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for
18 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

19 E. Non-compliance with Order. If you do not comply with the terms of this order,
20 **including payment of any amounts owed within 30 days of receipt of this order**, the Department
21 may seek its enforcement by the Office of the Attorney General to include the collection of the fees
22 imposed herein. The Department also may assign the amounts owed to a collection agency for
23 collection.

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

4 DATED this 15th day of October, 2018.

5 STATE OF WASHINGTON
6 DEPARTMENT OF FINANCIAL INSTITUTIONS

7 /s/
8 CHARLES E. CLARK
9 Director
10 Division of Consumer Services

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

4 IN THE MATTER OF INVESTIGATING:
5 The loan originator license application under the
6 Mortgage Broker Practices Act of Washington by:
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STEPHANIE NIKOLE DIPIETRO,
NMLS ID #1680892,

Respondent.

No.: C-18-2405-18-SC01

STATEMENT OF CHARGES,
NOTICE OF INTENT TO ENTER AN
ORDER TO DENY APPLICATION FOR
LICENSE, PROHIBIT FROM THE
INDUSTRY, COLLECT INVESTIGATION
FEE, AND RECOVER COSTS AND
EXPENSES FOR PROSECUTION

8 **INTRODUCTION**

9 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of
10 Financial Institutions of the State of Washington (Director) is responsible for the administration of
11 chapter 19.146 RCW, the Mortgage Broker Practices Act (Act). After having conducted an
12 investigation pursuant to RCW 19.146.310, and based upon the facts available as of the date of this
13 Statement of Charges, the Director, through her designee, Division of Consumer Services Director
14 Charles E. Clark, institutes this proceeding and finds as follows:

15 **I. FACTUAL ALLEGATIONS**

16 **1.1 Stephanie Nikole DiPietro (Respondent)** submitted an application to the Department of
17 Financial Institutions of the State of Washington (Department) for a license to conduct the business
18 of a loan originator. The license application was received by the Department through the Nationwide
19 Mortgage Licensing System and Registry (NMLS) on or about December 4, 2017. As of the date of
20 this Statement of Charges, the license application is pending.

21 **1.2 Prior Convictions and Probation Violations.** On or about June 14, 2010, in the Circuit
22 Court for Carroll County, Maryland, Respondent was convicted of one count of misdemeanor [REDACTED]
23 On or about June 9, 2017, in the District Court for Carroll County, Maryland, Respondent was
24 convicted of one count of misdemeanor [REDACTED]. For this crime, Respondent was sentenced to receive

1 supervised probation before judgment. Following this sentencing, it appears that Respondent failed to
2 comply with the requirements of her probation. Warrants were issued against Respondent on or about
3 November 15, 2017, and May 2, 2018, one of which appears to be outstanding as of the date of this
4 Statement of Charges. Further, Maryland’s Division of Parole and Probation reported that
5 Respondent has a history of failing to report to probation officers, failing to report address changes,
6 and absconding from supervision dating back to 2010.

7 **1.3 False Attestation and Responses to Application Question.** Respondent’s license
8 application required the submission of a Multistate Uniform Individual Licensure Form (MU4 Form),
9 which contains a series of disclosure questions. The following question is included in the MU4 Form
10 under the Criminal Disclosure section:

11 Have you ever been convicted of or pled guilty or nolo contendere (“no contest”)
12 in a domestic, foreign, or military court to committing or conspiring to commit a
misdemeanor involving: . . . (iv) theft or wrongful taking of property . . . ?

13 Respondent answered “no” to this question. Respondent was obligated by statute to answer questions
14 on the MU4 Form truthfully and to provide the Department with complete details of all relevant
15 events or proceedings for all events relevant to the questions. Respondent did not provide details,
16 documents, or other statements in her MU4 Form regarding her prior convictions. On or about
17 December 4, 2017, Respondent attested, under penalty of perjury, that the information and statements
18 contained within the MU4 Form are “current, true, accurate, and complete.” To date, her MU4 Form
19 records have not disclosed her prior convictions.

20 **1.4 Character and General Fitness.** Respondent has not demonstrated character and general
21 fitness such as to command the confidence of the community. This is evidenced by Respondent’s
22 making false statements and omitting material information in her license application, and by
23 Respondent’s probation violations.

1 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
2 Act by Respondent continues to date.

3 **II. GROUNDS FOR ENTRY OF ORDER**

4 **2.1 False Statements and Omissions of Material Fact.** Based on the Factual Allegations set
5 forth in Section I above, Respondent is in apparent violation of RCW 19.146.0201(8) for negligently
6 making any false statement or knowingly and willfully making any omission of material fact in
7 connection with any reports filed by a licensee or in connection with any investigation conducted by
8 the Department.

9 **2.2 Requirement to Provide Information on License Application.** Based on the Factual
10 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.300(1)
11 and RCW 19.146.300(2) for failing to provide complete and accurate answers to all disclosure
12 questions in her license application.

13 **2.3 Requirement to Demonstrate Character and General Fitness.** Based on the Factual
14 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
15 19.146.310(1)(g) and WAC 208-660-007(1) by failing to demonstrate character and general fitness
16 such as to command the confidence of the community and to warrant a belief that the business will be
17 operated honestly, fairly, and efficiently within the purposes of the Act.

18 **III. AUTHORITY TO IMPOSE SANCTIONS**

19 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW
20 19.146.220(2), the Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2), if
21 the Director does not find the conditions of RCW 19.146.310(1) have been met, the Director shall not
22 issue the loan originator license and shall notify the loan originator applicant of the denial.

23 **3.2 Authority to Prohibit From Industry.** Pursuant to RCW 19.146.220(4), the Director may
24 issue an order removing from office or prohibiting from participation in the conduct of the affairs of a

1 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed
2 mortgage broker or any person subject to licensing under the Act for any violation of the Act.

3 **3.3 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-
4 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time
5 devoted to an investigation.

6 **3.4 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director
7 may recover the state's costs and expenses for prosecuting violations of the Act.

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

9 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,
10 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
11 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,
12 RCW 19.146.223, and RCW 19.146.310. Therefore, it is the Director's intention to ORDER that:

13 **4.1** Respondent Stephanie Nikole DiPietro's application for a license to conduct the
14 business of a loan originator be denied.

15 **4.2** Respondent Stephanie Nikole DiPietro be prohibited from participation in the conduct
16 of the affairs of any mortgage broker subject to licensure by the Director, in any
17 manner, for a period of seven years.

18 **4.3** Respondent Stephanie Nikole DiPietro pay an investigation fee. As of the date of this
19 Statement of Charges, the investigation fee totals \$729.60.

20 **4.4** Respondent Stephanie Nikole DiPietro pay the Department's costs and expenses for
21 prosecuting violations of the Act in an amount to be determined at hearing or by
22 declaration with supporting documentation in event of default by Respondent.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is issued 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). Respondent may make a written request for a
5 hearing as set forth in the NOTICE OF OPPORTUNITY FOR TO DEFEND AND OPPORTUNITY
6 FOR HEARING accompanying this Statement of Charges.

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8 Dated this 24th day of May, 2018.

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10 /s/ _____
11 CHARLES E. CLARK
12 Director
13 Division of Consumer Services
14 Department of Financial Institutions

15 Presented by:

16 /s/ _____
17 DREW STILLMAN
18 Financial Legal Examiner

19 Approved by:

20 /s/ _____
21 STEVEN C. SHERMAN
22 Enforcement Chief