

## Terms Completed

### ORDER SUMMARY – Case Number: C-18-2468

**Name:** David Ronald Pattie, Jr.

**Order Number:** C-18-2468-18-FO01

**Effective Date:** 7/26/18

**License Number:** 1267541  
**Or NMLS Identifier [U/L]**

**License Effect:** License Application Denied

**Not Apply Until:**

**Not Eligible Until:**

**Prohibition/Ban Until:**

|   |    |     |   |      |
|---|----|-----|---|------|
| <b>Investigation Costs</b>              | \$ |     | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
|   |    |     |   |      |
| <b>Fine</b>                             | \$ | Due | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
|   |    |     |   |      |
| <b>Assessment(s)</b>                    | \$ | Due | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
|   |    |     |   |      |
| <b>Restitution</b>                      | \$ | Due | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
|   |    |     |   |      |
| <b>Financial Literacy and Education</b> | \$ | Due | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
|   |    |     |   |      |
| <b>Cost of Prosecution</b>              | \$ | Due | Paid<br><input type="checkbox"/> Y <input type="checkbox"/> N | Date |
| No. of<br>Victims:                      |    |     |   |      |

**Comments:**

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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  
Consumer Loan Act of Washington by:

No.: C-18-2468-18-FO01

David Ronald Pattie, Jr.,  
NMLS #1267541,

FINAL ORDER

David Ronald Pattie, Jr.

Respondent.

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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 June 27, 2018, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intent to Enter an Order to Deny License Application and Recover Costs and Expenses (Statement of Charges) against David Ronald Pattie, Jr. (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 June 28, 2018, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On June 28, 2018, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On June 29, 2018, the documents sent by Federal Express overnight delivery were delivered. The documents sent by First-Class mail were not returned to the Department by the United States Postal Service.

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

4 B. Record Presented. The record presented to the Director's designee for his review and  
5 for entry of a final decision included the following: Statement of Charges, cover letter dated June 28,  
6 2018, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for  
7 Adjudicative Hearing for Respondent, with documentation for service.

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

10 II. FINAL ORDER

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

13 A. IT IS HEREBY ORDERED, That:

14 1. Respondent David Ronald Pattie, Jr.'s application for a license to conduct the  
15 business of a Loan Originator is denied.

16 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
17 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
18 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
19 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
20 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
21 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
22 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

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

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1 DATED this 26<sup>th</sup> day of July, 2018.



STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

*Charles E. Clark*

CHARLES E. CLARK  
Director  
Division of Consumer Services

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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  
Consumer Loan Act of Washington by:

David Ronald Pattie, Jr.,  
NMLS #1267541,

Respondent.

No.: C-18-2468-18-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO ENTER AN  
ORDER TO DENY LICENSE  
APPLICATION and RECOVER COSTS AND  
EXPENSES

**INTRODUCTION**

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.247, and based upon the facts available as of the date of this Statement of Charges, the Director, through her designee, Division of Consumer Services Director Charles E. Clark, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 David Ronald Pattie, Jr. (Respondent)** submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a mortgage loan originator license under Enkar, Inc., a consumer loan company licensed under the Act. The license application was received by the Department, through the Nationwide Mortgage Licensing System and Registry, on or about October 19, 2017.

**1.2 Character and General Fitness.** The Department issued a subpoena to Respondent on or about March 28, 2014, related to one of the Department's investigations. Respondent did not respond to the subpoena as required by the Department prior to the closure of that investigation. On or about March 15, 2018, the Department sent to Respondent a letter (which included a copy of the 2014

1 subpoena), and requested that Respondent answer questions contained in the letter as well as provide  
2 responses to the 2014 subpoena. Respondent provided answers to the subpoena on or about April 13,  
3 2018; however, he did not respond to the Department's letter. On or about April 13, 2018, the  
4 Department sent an email to Respondent requesting both a response to the letter and additional  
5 information pertaining to Respondent's involvement with the company that was the subject of the  
6 Department's investigation in 2014. The Department also attempted to reach Respondent via  
7 telephone on May 29, 2018, regarding these requests for information. As of the date of this Statement  
8 of Charges, Respondent has not provided responses to either the letter or the email, and has failed to  
9 contact the Department beyond his last date of contact, April 3, 2018.

10 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the  
11 Act by Respondent continues to date.

## 12 **II. GROUNDS FOR ENTRY OF ORDER**

13 **2.1 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 31.04.247(1)(e) and WAC 208-620-710 by failing to demonstrate character and general fitness such  
16 as to command the confidence of the community and to warrant a determination that the mortgage  
17 loan originator will operate honestly, fairly, and efficiently within the purposes of the Act. Pursuant  
18 to WAC 208-620-710(4)(a), the Department's investigation of an applicant's character and general  
19 fitness may include a review of the number and severity of complaints filed against the applicant, or  
20 any person the applicant was responsible for, and a review of any investigation or enforcement  
21 activity against the applicant, or any person the applicant was responsible for, in this state, or any  
22 jurisdiction.

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1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW  
3 31.04.093(2), the Director may deny applications for licenses. Pursuant to RCW 31.04.247(2), the  
4 Director shall not issue a mortgage loan originator license if the director finds the conditions of RCW  
5 31.04.247 have not been met.

6 **3.2 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director  
7 may recover the state’s costs and expenses for prosecuting violations of the Act.

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

9 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 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 31.04.093, RCW 31.04.165, RCW  
12 31.04.205, and RCW 31.04.247. Therefore, it is the Director’s intent to ORDER that:

- 13 **4.1** Respondent David Ronald Pattie, Jr.’s application for a mortgage loan originator  
14 license be denied.
- 15 **4.2** Respondent David Ronald Pattie, Jr. pay the Department’s costs and expenses for  
16 prosecuting violations of the Act in an amount to be determined at hearing or by  
17 declaration with supporting documentation in event of default by Respondent.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intent to Enter an Order to Deny License  
3 Application and Recover Costs and Expenses (Statement of Charges) is issued pursuant to the  
4 provisions of RCW 31.04.093, RCW 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject  
5 to the provisions of chapter 34.05 RCW, the Administrative Procedure Act. Respondent may make a  
6 written request for a hearing as set forth in the NOTICE OF OPPORTUNITY FOR  
7 ADJUDICATIVE HEARING AND TO DEFEND accompanying this Statement of Charges.

8 Dated this 27<sup>th</sup> day of June, 2018.



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CHARLES E. CLARK  
Director  
Division of Consumer Services  
Department of Financial Institutions

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BRETT CARNAHAN  
Financial Legal Examiner

Approved by:

  
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STEVEN C. SHERMAN  
Enforcement Chief

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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  
Consumer Loan Act of Washington by:  
  
DAVID RONALD PATTIE, JR.,  
NMLS #1267541,  
  
Respondent.

No. C-18-2468-18-SC01

NOTICE OF OPPORTUNITY TO DEFEND  
AND OPPORTUNITY FOR HEARING

**THE STATE OF WASHINGTON TO:**

David Ronald Pattie, Jr.  
912 Carmel Circle  
Fullerton, CA 92833

**I. NOTICE OF OPPORTUNITY TO DEFEND**

The Washington State Department of Financial Institutions, Consumer Services Division (Department) has entered the enclosed Statement of Charges (Charges) against you. You may contest the Charges by timely returning the enclosed Application for Adjudicative Hearing (Application) as instructed therein.

**II. NOTICE OF OPPORTUNITY FOR HEARING**

If you request an adjudicative hearing you will be notified of the time and place for the hearing at least seven (7) days in advance of the hearing date. In most cases, a telephonic prehearing conference will be conducted to discuss preliminary matters and select mutually convenient hearing dates. You may appear at the hearing personally and/or by counsel, if desired. The hearing will be recorded, and will be as informal as is practical within the requirements of the Administrative Procedure Act (APA), chapter 34.05 RCW. The primary concern of the hearing will be getting to the truth of the matter insofar as the Charges are concerned. Technical rules of evidence will not be binding except for the rules of privilege recognized by law.

1 Pursuant to the APA, you have the right to request an adjudicative hearing; to be represented by an  
2 attorney at your own expense; to subpoena witnesses to the hearing; to subpoena the production of books  
3 or documents; to present evidence and witnesses in your own behalf; to cross-examine those witnesses  
4 presented in support of the Charges; and to otherwise defend against the Charges.

5 **III. INTERPRETER AVAILABILITY.**

6 If you, or any witness for you, is a person who cannot readily speak, hear, or understand the English  
7 language, or who cannot readily communicate in spoken language, you have the right to have an  
8 interpreter appointed at no cost, and may request the appointment of an interpreter on the Application.

9 **IV. WARNING**

10 You may be in default and may lose your right to an adjudicative hearing if:

- 11 A. The Department does not receive your Application within twenty (20) days from the  
12 date of service of the Charges;
- 13 B. The Department timely receives your Application requesting an adjudicative hearing,  
14 but you fail to file an answer to the Charges with the Department no later than (30) days  
15 after the Department's receipt of your Application requesting an adjudicative hearing;  
16 or
- 17 C. The Department timely receives your Application, but you do not request an  
18 adjudicative hearing.

19 In the event of a default, the Department may enter a Final Order adopting the Charges and  
20 imposing the proposed sanctions against you as authorized by RCW 34.05.440 and WAC 208-08-050 or  
21 WAC 208-08-053.

22 Dated this 27<sup>th</sup> day of June, 2018.



Charles E. Clark, Director  
Consumer Services Division  
Department of Financial Institutions