ORDER SUMMARY
Consumer Services Division Case Number C-22-3493

Consent Orders *resolve investigations. In these, companies and individuals work with us to agree to terms that resolve the alleged issues in the investigation.*

Names	**M & M Mortgage LLC, NMLS #213677** **Michael Lawrence Kopiecki, NMLS #289458**
Order Number	C-22-3493-24-CO01
Date issued	October 15, 2024

What does this Consent Order require?

- Respondents must pay a fine of $25,000. $15,000 of the fine is stayed (doesn't have to be paid) until October 15, 2027, as long as Respondents comply with the order. The fine goes away on that date if Respondents have complied.
- Respondents must pay an investigation fee of $1,034.40 (Investigation fees cover the cost of DFI staff time working on the investigation).
- M & M Mortgage LLC's mortgage broker license is revoked. This license revocation is stayed (is not in effect) for three years contingent upon Respondents' compliance with the Mortgage Broker Practices Act and this Consent Order.
- M & M Mortgage LLC is not allowed to participate in the mortgage broker industry in Washington for three years. This prohibition from the industry is stayed (is not in effect) for three years contingent upon Respondents' compliance with the Mortgage Broker Practices Act and this Consent Order.
- M & M Mortgage LLC must remove and replace Michael Lawrence Kopiecki as the company's Designated Broker within six months.
- Michael Lawrence Kopiecki's Designated Broker registration must be surrendered to DFI within six months.
- Michael Lawrence Kopiecki is not allowed to participate in loan origination and servicing activities related to any consumer loan company or mortgage broker in Washington for three years.
- Respondents must and cease and desist from engaging in all of the violations of the Mortgage Broker Practices Act as described in the Statement of Charges, C-22-3493-24-SC01.

Need more information?

You can contact the Consumer Services Division, Enforcement unit at (360) 902-8703 or csenforcecomplaints@dfi.wa.gov. *Please remember that we cannot provide financial or legal advice to members of the public. We also cannot release confidential information.*

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF DETERMINING Whether there has been a violation of the Mortgage Broker Practices Act of Washington by: M & M MORTGAGE, LLC, NMLS # 213677, and MICHAEL LAWRENCE KOPIECKI, Co-Owner and Designated Broker, NMLS # 289458, Respondent.	No.: C-22-3493-24-CO01 CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Ali Higgs, Director, Division of Consumer Services, and M & M Mortgage, LLC (Respondent M & M) and Michael Lawrence Kopiecki (Respondent Kopiecki), collectively Respondents, 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) 19.146, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-22-3493-24-SC01 (Statement of Charges), entered April 1, 2024 (copy attached hereto). Pursuant to 19.146.218 and RCW 34.05.060, Respondents and the Department agree to entry of this Consent Order and further agree that the matters alleged herein may be economically and efficiently settled by the entry of this Consent Order. The parties intend this Consent Order to fully resolve the

Statement of Charges. Respondents agree not to contest the Statement of Charges in consideration of the terms of this Consent Order.

Based on the foregoing:

1.1 Jurisdiction. It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed herein.

1.2 Waiver of Hearing. It is AGREED that Respondents hereby waive any right they have to a hearing and any and all administrative and judicial review of the issues raised in this matter or the resolution reached herein. Accordingly, Respondents, by their signatures or the signatures of their representatives below, withdraw their appeal to the Office of Administrative Hearings.

1.3 No Admission of Liability. The parties intend this Consent Order to fully resolve the matters alleged herein and agree that Respondents neither admit nor deny any wrongdoing by its entry.

1.4 Cease and Desist and Future Compliance. It is AGREED and ORDERED that Respondents will cease and desist from engaging in all of the violations of the Act, the rules, and applicable federal laws and regulations described in the Statement of Charges. It is FURTHER AGREED and ORDERED that Respondents shall henceforth comply with the Act, and all related rules.

1.5 Loan Originator License Required. It is AGREED and ORDERED that in order to engage in the business of a loan originator related to real estate located in Washington, Respondent Kopiecki must obtain a loan originator license in accordance with the Act, or qualify for an exemption from licensing as delineated in the Act. It is FURTHER AGREED that the entry of this Consent Order will not preclude Respondent Kopiecki from obtaining a loan originator license in the future, so long as Respondent Kopiecki has complied with the terms of this Consent Order and so long as Respondent Kopiecki meets all license application requirements. Respondent Kopiecki may not apply for a license during the prohibition identified in Paragraph 1.10.

1.6 Revocation of Licenses (Stayed). It is AGREED and ORDERED that Respondent M & M's license to conduct the business of a mortgage broker is revoked. It is FURTHER AGREED and ORDERED that Respondent M & M's license revocation is stayed for three (3) years from the date of the entry of this Consent Order contingent upon Respondent M & M and Respondent Kopiecki's compliance with the Act, related rules, and compliance with this Consent Order, unless lifted pursuant to Paragraph 1.14. Absent any action by the Department to lift the stay and impose the stayed revocation pursuant to Paragraph 1.14, the revocation shall expire three (3) years from the date of entry of this Consent Order without further action or notice by the Department, however expiration shall not occur if the steps of lifting the stay as stated in Paragraph 1.14 are in process by the Department.

1.7 Prohibition from Industry (Stayed). It is AGREED and ORDERED that Respondent M & M Mortgage is prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director, for a period of three (3) years from the date of the entry of this Consent Order. It is FURTHER AGREED and ORDERED that the prohibition is stayed for three (3) years from the date of the entry of this Consent Order contingent upon Respondent M & M's compliance with the Act, related rules, and compliance with this Consent Order, unless lifted pursuant to Paragraph 1.14. Absent any action by the Department to lift the stay and impose the stayed prohibition pursuant to Paragraph 1.14, the prohibition shall expire three (3) years from the date of entry of this Consent Order without further action or notice by the Department, however expiration shall not occur if the steps of lifting the stay as stated in Paragraph 1.14 are in process by the Department.

1.8 Designated Broker Removal. It is AGREED and ORDERED that Respondent M & M shall within six (6) months of entry of this Consent Order remove and replace Respondent Kopiecki as the Designated Broker. If Respondent M & M requires additional time to remove and replace

Respondent Kopiecki as the Designated Broker, Respondent M & M shall send a written request for additional time of a specific amount to the Department and the Department may approve or deny such request in writing. Absent approval from the Department for additional time, failure to timely comply with this section shall be a violation of this Consent Order.

1.9 Designated Broker Registration Surrender. It is AGREED and ORDERED that Respondent Kopiecki shall surrender his Designated Broker registration to the Department within six (6) months of entry of this Consent Order. If Respondent Kopiecki requires additional time to surrender his Designated Broker registration, Respondent Kopiecki shall send a written request for additional time of a specific amount to the Department and the Department may approve or deny such request in writing. Absent approval from the Department for additional time, failure to timely comply with this section shall be a violation of this Consent Order.

1.10 Prohibition from Industry. It is AGREED and ORDERED that Respondent Kopiecki shall be prohibited from participation directly or indirectly in Washington related loan origination and loan servicing activities related to any consumer loan company or mortgage broker subject to licensure by the Director, for a period of three (3) years from the date of entry of this Consent Order. It is FURTHER AGREED that, for a period of three (3) years from the date of entry of this Consent Order, Respondent Kopiecki shall not apply to the Department for any license or registration under any name. It is FURTHER AGREED that, should Respondent Kopiecki apply to the Department for any license or registration under any name at any time later than three (3) years from the date of entry of this Consent Order, pursuant to Paragraph 1.5, Respondent Kopiecki shall be required to meet any and all application requirements in effect at that time.

1.11 Fine (Partially Stayed). It is AGREED and ORDERED that Respondent M & M and Respondent Kopiecki are jointly and severally liable to pay a fine to the Department in the amount of $25,000.00, with $10,000.00 paid (Paid Fine) and $15,000.00 stayed (Stayed Fine). The Paid Fine

shall be paid pursuant to Paragraph 1.13. The Stayed Fine shall be stayed for a period of three (3) years from the date of entry of this Consent Order contingent on Respondents' compliance with the Act, related rules, and this Consent Order. Absent any action by the Department to lift the Stayed Fine pursuant to Paragraph 1.14, the Stayed Fine shall expire and be vacated three (3) years from the date of entry of this Consent Order without further action or notice by the Department, however expiration shall not occur if the steps of lifting the stay as stated in Paragraph 1.14 are in process by the Department.

1.12 Investigation Fee. It is AGREED and ORDERED that Respondent M & M and Respondent Kopiecki shall pay an investigation fee to the Department in the amount of $1,034.40 pursuant to Paragraph 1.13.

1.13 Payment. It is AGREED and ORDERED that the Paid Fine and Investigation Fee shall be paid together in one $11,034.40 cashier's check made payable to the "Washington State Treasurer." The payment shall be delivered to the Department with this Consent Order fully executed by Respondents.

1.14 Lifting of Stay and Imposition of Stayed Sanctions. It is AGREED and ORDERED that:

1. If during the stay, the Department determines that Respondents have not complied with the Act, related rules, or this Consent Order, and the Department seeks to lift the stay and impose the Stayed Revocation, Stayed Prohibition, or Stayed Fine, the Department will first serve Respondents with a written notice of alleged noncompliance.

2. The notice will include:
   a. A description of the alleged noncompliance;
   b. A statement that the Department seeks to lift the stay and impose the Stayed Revocation, Stayed Prohibition, or Stayed Fine;
   c. Notice that either Respondents can contest the Department's determination of noncompliance either in an adjudicative hearing before an Administrative Law Judge (ALJ) of the Office of Administrative Hearings (OAH), or by submitting a written response to the Department contesting the alleged noncompliance; and
   d. Notice that the notification and adjudicative hearing process provided in this Paragraph applies only to this Consent Order in the event either Respondent

chooses to contest the Department's determination of noncompliance.

3. Any Respondent who wishes to contest the Department's determination of noncompliance will have twenty (20) days from the date of receipt of the Department's notice to submit a written request to the Department for an adjudicative hearing.

4. The scope and issues of the adjudicative hearing are limited solely to whether or not Respondents are in violation of the terms of this Consent Order.

5. At the conclusion of the hearing, the ALJ will issue an initial decision. Either party may file a Petition for Review of the initial decision with the Director of the Department.

6. In lieu of requesting an adjudicative hearing, within twenty (20) days from the date of service of the notice of alleged noncompliance, Respondents may submit a written response for consideration by the Department contesting the alleged noncompliance. The response must include each Respondent's waiver of the right to an adjudicative hearing, may address the alleged noncompliance, and may seek an alternative resolution to lifting the stayed sanctions.

7. DEFAULT: If any Respondent does not timely either request an adjudicative hearing, or timely submit a written response contesting the alleged noncompliance, the Department will impose the Stayed Revocation, Stayed Prohibition, and Stayed Fine without further notice.

1.15 Non-Compliance with Order. It is AGREED and ORDERED that Respondents understand that failure to abide by the terms and conditions of this Consent Order may result in further legal action by the Director. In the event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in pursuing such action, including, but not limited to, attorney fees.

1.16 Voluntarily Entered. It is AGREED and ORDERED that Respondents have voluntarily entered into this Consent Order, which is effective when signed by the Director's designee.

1.17 Completely Read, Understood, and Agreed. It is AGREED and ORDERED that Respondents have read this Consent Order in its entirety and fully understand and agree to all of the same.

1.18 Authority to Execute Order. It is AGREED and ORDERED that the undersigned authorized representative has represented and warranted that he has the full power and right to execute this Consent Order on behalf of Respondent M & M.

1.19 Counterparts. This Consent Order may be executed in any number of counterparts, including by facsimile or e-mail of a .pdf or similar file, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same Consent Order.

RESPONDENTS:

M & M Mortgage, LLC

[redacted]

MICHAEL LAWRENCE KOPIECKI
Designated Broker and Co-Owner

9/25/2024
Date

[redacted]

MICHAEL LAWRENCE KOPIECKI
Individually

9/25/2024
Date

Approved for Entry:

[redacted]

DANIEL M. GALLATIN
Attorney for M & M Mortgage LLC and Michael Kopiecki
Gallatin Law, PPLC
Attorney #

September 25, 2024
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 15th DAY OF October, 2024.

[redacted]
ALI HIGGS, Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

[redacted]
MEGAN GUTHRIE
Financial Legal Examiner

Reviewed by:

[redacted]
DREW STILLMAN
Financial Legal Examiner Supervisor

Approved by:

[redacted]
JAMES R. BRUSSELBACK
Acting Enforcement Chief

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF DETERMINING Whether there has been a violation of the Mortgage Broker Practices Act of Washington by: M & M MORTGAGE, LLC, NMLS # 213677, and MICHAEL LAWRENCE KOPIECKI, Co-Owner and Designated Broker, NMLS # 289458, Respondents.	No. C-22-3493-24-SC01 STATEMENT OF CHARGES and NOTICE OF INTENT TO ENTER AN ORDER TO CEASE AND DESIST, REVOKE MORTGAGE BROKER LICENSE and DESIGNATED BROKER REGISTRATION, PROHIBIT FROM INDUSTRY, IMPOSE FINE, COLLECT INVESTIGATION FEE, and RECOVER COSTS AND EXPENSES

INTRODUCTION

Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Washington State Department of Financial Institutions (Director) is responsible for the administration of chapter 19.146 of the Revised Code of Washington (RCW), the Mortgage Broker Practices Act (Act). Having conducted an investigation pursuant to RCW 19.146.235, and based upon the facts available as of the date of this Statement of Charges (Charges), the Director, through his designee, Division of Consumer Services Acting Director Ali Higgs, institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondents.

A. M & M Mortgage, LLC. The Washington State Department of Financial Institutions (Department) licensed M & M Mortgage, LLC (Respondent M & M), to conduct business as a mortgage broker under the Act on or about November 20, 2013, and Respondent M & M continues to be licensed to date.

B. Michael Lawrence Kopiecki. Michael Lawrence Kopiecki, (Respondent Kopiecki) is the Designated Broker and co-owner of Respondent M & M. The Department

issued a Designated Broker Registration to Respondent Kopiecki to conduct business as the Designated Broker for Respondent M & M on or about November 20, 2013, and he continues to be the Designated Broker for Respondent M & M to date. Respondent Kopiecki has never been licensed as a loan originator by the Department.

1.2 2018 Examination. Between October 8, 2018, and October 11, 2018, the Department examined the books and records of Respondents for the period of July 1, 2016, through September 30, 2018. The Department sent Respondent M & M a copy of the examination findings on or about November 15, 2018.

1.3 2022 Examination. Between September 12, 2022, and September 16, 2022, the Department examined the books and records of Respondent M & M for the period of June 1, 2020, through July 31, 2022. The examination revealed multiple violations of the Act, including those identified below.

1.4 Engaged in Misleading and Deceptive Practices. Respondent M & M included a document titled "Mortgage Loan Origination Agreement with M & M Mortgage, LCC" (Agreement) in at least twenty-three residential mortgage loan files for real estate located in Washington State that were reviewed during the 2022 Examination. Section 3 titled "Governing Law and Dispute Resolution" of this Agreement states, "You and M & M Mortgage agree that Minnesota law governs the Agreement. It is further agreed that disputes arising out of the Agreement shall be brought to M & M Mortgage's attention and good faith efforts at resolution must be attempted by the parties before any complaint is filed in court or with the State or Federal Government." Section 3 of the Agreement also states, "You are responsible for payment of M & M Mortgage's costs and fees incurred for disputes arising out of the Agreement, including attorney's fees."

1.5 Unlicensed Activity. Between at least June 19, 2017, and August 8, 2020, Respondent Kopiecki engaged in the business of a mortgage loan originator for at least five residential mortgage loans for real estate located in Washington State without holding a mortgage loan originator license.

1.6 Advertised without Displaying Required Information. Between at least August 13, 2020, and September 8, 2022, on at least four web pages advertising Respondent M & M, Respondent M & M and mortgage loan originators employed by Respondent M & M did not provide one or more of the following: Respondent M & M's license number and mortgage loan originators' license numbers.

1.7 Advertised Using Disallowed and Misleading Phrases. Between at least June 1, 2020, and July 31, 2022, Respondent M & M's website and social media pages included in at least nine advertisements that Respondent M & M offered the "best loan," "best rate," "the lowest interest rate," or other similar terms.

1.8 Did Not Provide Complete and Accurate Rate Lock Agreement. In at least three of the Washington loan files reviewed in the 2022 examination, Respondent M & M did not provide complete and accurate Rate Lock Agreements to Washington borrowers after locking the interest rate.

1.9 Anti-Money Laundering Program. Respondent M & M did not develop and implement a compliant anti-money laundering program during the 2022 exam review period. This was a repeat finding from the 2018 examination that was sent to Respondent M & M on or about November 15, 2018.

1.10 Incomplete Credit Score Disclosure. Between at least March 8, 2021, and November 15, 2022, Respondent M & M gave at least three Washington borrowers credit score disclosures that did not contain the ranges of the scores. Respondent M & M provided at least one Washington borrower a credit score disclosure that was missing the date the credit was pulled and a comparison to other consumer's scores.

1.11 Incomplete Homeownership Housing Counseling Disclosures. Between at least November 27, 2020, and November 15, 2022, Respondent M & M gave at least nine Washington borrowers

Homeownership Housing Counseling Disclosures that did not provide an accurate written list of housing counseling organizations.

1.12 On-Going Investigation. The Department's investigation into the alleged violations of the Act by Respondent M & M and Respondent Kopiecki continues to date.

II. GROUNDS FOR ENTRY OF ORDER

2.1 Definition of Mortgage Broker. Pursuant to RCW 19.146.010(14), "Mortgage broker" means any person who for direct or indirect compensation or gain, or in the expectation of direct or indirect compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage loan or performs residential mortgage loan modification services or (b) holds himself or herself out as being able to assist a person in obtaining or applying to obtain a residential mortgage loan or provide residential mortgage loan modification services.

2.2 Duties of Mortgage Broker. Pursuant to RCW 19.146.085, the activities of a mortgage broker affect the public interest, and require that all actions of mortgage brokers, designated brokers, loan originators, and other persons subject to this Act be actuated by good faith, abstain from deception, and practice honesty and equity in all matters related to their profession. The duty of preserving the integrity of the mortgage broker business rests upon the mortgage broker, designated broker, loan originator, and other persons subject to this Act.

2.3 Responsibility of Designated Broker. Pursuant to RCW 19.146.200(3), every licensed mortgage broker must at all times have a designate broker responsible for all activities of the mortgage broker in conducting the business of a mortgage broker. A designated broker, principal, or owner who has supervisory authority over a mortgage broker is responsible for a licensee's, employee's, or independent contractor's violations of the Act if: (a) the designated broker, principal, or owner directs or instructs the conduct or, with knowledge of the specific conduct, approves or allows the conduct; or (b) the designated broker, principal, or owner who has supervisory authority

over the licensed mortgage broker knows or by the exercise of reasonable care and inquiry should have known of the conduct, at a time when its consequences can be avoided or mitigated and fails to take reasonable remedial action.

2.4 Liability of Mortgage Broker. Pursuant to RCW 19.146.245 and WAC 208-660-155(4), a licensed mortgage broker is liable for any conduct violating the Act by the Designated Broker, a loan originator, or other licensed mortgage broker while employed or engaged by the licensed mortgage broker. Pursuant to WAC 208-660-530(6), a licensed mortgage broker and each of its principals, officers, Designated Brokers, loan originators, employees, independent contractors, and agents must comply with the applicable provisions of the Act, and are subject to a fine of up to $100 per day for each violation of the Act.

2.5 Definition of Loan Originator. Pursuant to RCW 19.146.010(11), "Loan originator" means an individual who for direct or indirect compensation or gain, or in the expectation of direct or indirect compensation or gain (i) takes a residential mortgage loan application or (ii) offers or negotiates terms of a mortgage loan. "Loan originator" also includes a person who holds themselves out to the public as able to perform any of these activities.

2.6 Prohibition on Engaging in Misleading and Deceptive Practices. Based on the Factual Allegations set forth in Section 1.4 above, Respondent M & M is in apparent violation of RCW 19.146.0201(1), (2), & (7) for directly or indirectly employing any scheme, device, or artifice to defraud or mislead borrowers or lenders or to defraud any person; by directly or indirectly engaging in any unfair or deceptive practice toward any person; and by making, in any manner, any false or deceptive statement or representation with regard to the rates, points, or other financing terms or conditions for a residential mortgage loan or engage in bait and switch advertising.

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2.7 Unlicensed Activity. Based on the Factual Allegations set forth in Section 1.5 above, Respondent Kopiecki is in apparent violation of RCW 19.146.200(1) for engaging in the business of a loan originator without first obtaining and maintaining a license under the Act.

2.8 Advertised without Displaying Required Information. Based on the Factual Allegations set forth in Section 1.6 above, Respondent M & M is in apparent violation of RCW 19.146.0201(2), RCW 19.146.0201(11), and WAC 208-660-446 for advertising without displaying the company's license number and mortgage loan originators' license numbers.

2.9 Prohibition on Advertising using Disallowed and Misleading Phrases. Based on the Factual Allegations set forth in Section 1.7 above, Respondent M & M is in apparent violation of RCW 19.146.0201(2) and (7) for advertising using disallowed and misleading phrases as prohibited by WAC 208-660-440(1) and (7).

2.10 Requirement to Provide Complete and Accurate Rate Lock Agreements. Based on the Factual Allegations set forth in Section 1.8 above, Respondent M & M is in apparent violation of RCW 19.146.0201(2), RCW 19.146.030(2)(c), and WAC 208-660-430(3)(c) for failing to provide complete and accurate Rate Lock Agreements.

2.11 Failure to Develop Anti-Money Laundering Program. Based on the Factual Allegations set forth in Section 1.9 above, Respondent M &M is in apparent violation of RCW 19.146.0201(11) by failing to develop and implement an anti-money laundering program as required by the FinCEN, Department of the Treasury, 31 C.F.R. §1029.210.

2.12 Incomplete Credit Score Disclosures. Based on the Factual Allegations set forth in Section 1.10 above, Respondent M & M is in apparent violation of RCW 19.146.0201(11) for not providing a complete score range and not including the pull date as required by 12 C.F.R. § 1022.74(d).

2.13 Incomplete Homeownership Housing Counseling Disclosures. Based on the Factual Allegations set forth in Section 1.11 above, Respondent M & M is in apparent violation of RCW

19.146.0201(11) for not providing borrowers with disclosures that contained information required by 12 C.F.R. § 1024.20(a).

III. AUTHORITY TO IMPOSE SANCTIONS

3.1 Authority to Issue an Order to Cease and Desist. Pursuant to RCW 19.146.220(3), the Director may issue orders directing a licensee, its employee, loan originator, independent contractor, agent, or other person subject to the Act to cease and desist from conducting business.

3.2 Authority to Revoke License. Pursuant to RCW 19.146.220(2)(e), the Director may revoke licenses for any violation of the Act.

3.3 Authority to Prohibit from the Industry. Pursuant to RCW 19.146.220(4)(a), the Director may issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage broker or any person subject to licensing under the Act for any violation of the Act.

3.4 Authority to Impose Fine. Pursuant to RCW 19.146.220(2) and WAC 208-660-530(6), the Director may impose a fine of up to $100 per day for each violation of the Act.

3.5 Authority to Collect Investigation Fee. Pursuant to RCW 19.146.228(2) and WAC 208-660-550(4)(a), the Department will charge $48 per hour for an examiner's time devoted to an investigation of any person subject to the Act.

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

IV. NOTICE OF INTENT TO ENTER ORDER

Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth in the above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

4.1 Respondent M & M Mortgage, LLC and Respondent Michael Lawrence Kopiecki cease and desist engaging in the business of a mortgage broker and Designated Broker.

4.2 Respondent M & M Mortgage, LLC's license to conduct the business of a mortgage broker be revoked.

4.3 Respondent Michael Lawrence Kopiecki's registration as a Designated Broker be revoked.

4.4 Respondent M & M Mortgage, LLC be prohibited from participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, for a period of five (5) years.

4.5 Respondent Michael Lawrence Kopiecki be prohibited from participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, for a period of five (5) years.

4.6 Respondents M & M Mortgage, LLC and Michael Lawrence Kopiecki, jointly and severally pay a fine. As of the date of this Statement of Charges, the fine totals $25,000.

4.7 Respondents M & M Mortgage, LLC and Michael Lawrence Kopiecki, jointly and severally pay an investigation fee. As of the date of this Statement of Charges, the investigation fee totals $1,034.40.

4.8 Respondents M & M Mortgage, LLC and Michael Lawrence Kopiecki jointly and severally pay the Department's costs and expenses for prosecuting violations of the Act in an amount to be determined at hearing or by declaration with supporting documentation in event of default by Respondents M & M Mortgage, LLC and Michael Lawrence Kopiecki.

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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intent to Enter an Order to Cease and Desist Business, Revoke Mortgage Broker License and Designated Broker Registration, Prohibit From Industry, Impose Fine, Collect Investigation Fee, and Recover Costs and Expenses (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondents M & M Mortgage LLC and Michael Lawrence Kopiecki may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND accompanying this Statement of Charges.

Dated this 1st day of April, 2024.

[redacted]

ALI HIGGS, Acting Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

[redacted]

MEGAN GUTHRIE
Financial Legal Examiner

Reviewed by:

[redacted]

KENDALL FREED
Financial Legal Examiner Supervisor

Approved by:

[redacted]

JAMES R. BRUSSELBACK
Acting Enforcement Chief