

Terms Complete
CONSENT ORDER SUMMARY - Case Number: C-09-029

Name(s) Dennis E. Chilberg

Order Number C-09-029-CO01

Effective Date July 9, 2010

License Number N/A

License Effect N/A

Not Apply until July 9, 2015

Prohibition/Ban until July 9, 2015

Investigation Costs				
\$N/A	Due	Paid Y N	Date	7/8/10

Assessment(s)	\$N/A	Due	Paid Y N	Date
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Monetary Penalty	\$1,000	Due	Paid Y	Date
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Other Cooperation Agreement

Special Instructions

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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
Escrow Agent Registration Act of Washington by:

INTEGRITY CLOSING AND ESCROW, LLC,
DENNIS E. CHILBERG,
47.5% Owner,
ALOAR D. DURHEIM,
47.5% Owner, and
DARALEE B. NEISESS,
5% Owner and Designated Escrow Officer,

Respondents.

NO. C-09-029-10-CO01

CONSENT ORDER

DENNIS E. CHILBERG

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Dennis E. Chilberg (Respondent Chilberg), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled solely as they relate to Respondent Chilberg, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 of the Revised Code of Washington (RCW) 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 Respondent Chilberg have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-029-09-SC01 (Statement of Charges), entered January 8, 2010 (copy attached hereto), solely as they relate to Respondent Chilberg. Pursuant to chapter 18.44 RCW, the Escrow Agent

1 Registration Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent Chilberg
2 hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in
3 the above-captioned matter, solely as they relate to Respondent Chilberg, may be economically and
4 efficiently settled by entry of this Consent Order. The Department and Respondent Chilberg intend this
5 Consent Order to fully resolve the Statement of Charges solely as they relate to Respondent Chilberg.
6 Respondent Chilberg is agreeing not to contest the Statement of Charges in consideration of the terms of
7 this Consent Order.

8 Based upon the foregoing:

9
10 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of
11 the activities discussed herein.

12 B. **Waiver of Hearing.** It is AGREED that Respondent Chilberg has been informed of the right
13 to a hearing before an administrative law judge, and that he hereby waives his right to a hearing and any
14 and all administrative and judicial review of the issues raised in this matter, or of the resolution reached
15 herein. Accordingly, by his signature below, Respondent Chilberg hereby withdraws his appeal.

16 C. **No Admission of Liability.** It is AGREED that Respondent Chilberg does not admit to any
17 wrongdoing by entry of this Consent Order.

18 D. **License Revocation.** It is AGREED that on or about March 1, 2009, Respondent Chilberg
19 sold his interest in Respondent Integrity Closing and Escrow, LLC to Respondent Durham and,
20 therefore, Respondent Chilberg has no ownership interest in or right to argue or be otherwise heard
21 regarding the revocation of the Escrow Agent license of Respondents Integrity Closing and Escrow, LLC,
22 Aloar D. Durham, and Daralee B. Neissess.
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1 E. **Fine.** It is AGREED that Respondent Chilberg shall pay to the Department a fine of \$1,000
2 in the form of a cashier's check made payable to the "Washington State Treasurer" upon entry of this
3 Consent Order.

4 F. **Agreement not to Apply.** It is AGREED that Respondent Chilberg, individually or in his
5 capacity as an owner, principal, share holder, or holder of any other type of ownership interest, shall not
6 apply for a license to conduct business as an Escrow Agent or Escrow Officer for five years from the date
7 of entry of this Consent Order.

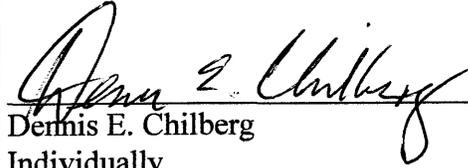
8 G. **Complete Cooperation with the Department and the Office of the Attorney General.** It
9 is AGREED that Respondent Chilberg shall provide the Department with a truthful and complete sworn
10 statement outlining his knowledge of and activities with respect to Respondent Integrity Closing and
11 Escrow, LLC and any and all persons involved or in any way associated with Respondent Integrity
12 Closing and Escrow, LLC. The "sworn statements" may take the form of affidavits, declarations, or
13 deposition testimony at the Department's and the Office of the Attorney General's discretion. It is further
14 AGREED that Respondent Chilberg shall testify fully, truthfully, and completely at any proceeding
15 related to the Department's investigation and enforcement action related to this matter, including, but not
16 limited to, Respondents Integrity Closing and Escrow, LLC, Aloar D. Durham, and Daralee B. Neissess.
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18 H. **Non-Compliance with Order.** It is AGREED that Respondent Chilberg understands that
19 failure to abide by the terms and conditions of this Consent Order may result in further legal action by
20 the Director. In the event of such legal action, Respondent Chilberg may be responsible to reimburse
21 the Director for the cost incurred in pursuing such action, including but not limited to, attorney fees.
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23 I. **Voluntarily Entered.** It is AGREED that Respondent Chilberg has voluntarily entered into
24 this Consent Order, which is effective when signed by the Director's designee.
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1 J. Completely Read, Understood, and Agreed. It is AGREED that Respondent Chilberg has
2 read this Consent Order in its entirety and fully understands and agrees to all of the same.
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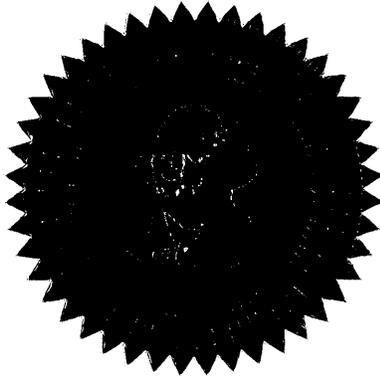
4 **RESPONDENT:**

5 
6 _____
7 Dennis E. Chilberg
Individually

7/26/10
Date

8 **DO NOT WRITE BELOW THIS LINE**

9 THIS ORDER ENTERED THIS 9th DAY OF July, 2010.
10



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12 _____
13 DEBORAH BORTNER
14 Director
15 Division of Consumer Services
Department of Financial Institutions

16 Presented by:

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18 _____
19 STEVEN C. SHERMAN
20 Financial Legal Examiner

21 Approved by:

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23 _____
24 JAMES R. BRUSSELBACK
Enforcement Chief

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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
Escrow Agent Registration Act of Washington
by:

INTEGRITY ESCROW AND CLOSING,
LLC,
DENNIS E. CHILBERG,
47.5% Owner,
ALOAR D. DURHEIM,
47.5% Owner, and
DARALEE B. NEISESS,
5% Owner and Designated Escrow Officer,

Respondents.

NO. C-09-029-09-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO REVOKE
ESCROW OFFICER LICENSE, PROHIBIT
FROM INDUSTRY, IMPOSE FINE,
COLLECT EXAMINATION FEE, AND
COLLECT INVESTIGATION FEE

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INTRODUCTION

14 Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions (Director) is
15 responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (the Act).
16 After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680G-020, and
17 based upon the facts available as of the date of this Statement of Charges, the Director, through his
18 designee Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as
19 follows:

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I. FACTUAL ALLEGATIONS

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1.1 Respondents.

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A. Integrity Escrow and Closing, LLC, (Respondent Integrity) was licensed by the
Department to conduct the business of an escrow agent on December 10, 2008. Respondent Integrity
surrendered its license effective August 31, 2009. Respondent Integrity was licensed to conduct
business from one location at 1403 W. 3rd Avenue, Spokane, Washington.

- 1 **4.3** Respondents Integrity Closing & Escrow, LLC, Dennis E. Chilberg, Aloar D. Durham, and
2 Daralee B. Neisess jointly and severally pay a fine which as of the date of these charges totals \$15,000;
- 3 **4.5** Respondents Integrity Closing & Escrow, LLC, Dennis E. Chilberg, Aloar D. Durham, and
4 Daralee B. Neisess jointly and severally pay an examination fee which as of the date of these charges
5 totals \$3,000.00, calculated at \$62.50 per hour for 48 staff hours devoted to the examination, plus
6 accrued interest;
- 7 **4.6** Respondents Integrity Closing & Escrow, LLC, Dennis E. Chilberg, Aloar D. Durham, and
8 Daralee B. Neisess jointly and severally pay an investigation fee which as of the date of these charges
9 totals \$812.50, calculated at \$62.50 per hour for 13 staff hours devoted to the investigation; and
- 10 **4.7** Respondents Integrity Closing & Escrow, LLC, Dennis E. Chilberg, Aloar D. Durham, and
11 Daralee B. Neisess maintain all records involving Washington escrow transactions for a minimum of six
12 years following the closing or termination of the escrow transaction.
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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intent to Revoke Escrow Officer License, Prohibit from Industry, Impose Fine, Collect Examination Fee, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the provisions of RCW 18.44.410 and RCW 18.44.430, and is subject to the provisions of chapter 34.05 RCW. Respondents may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

DATED this 8th day of January, 2010.



DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

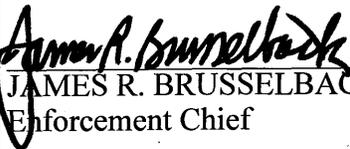
Presented by:



STEVEN C. SHERMAN
Financial Legal Examiner



Approved by:



JAMES R. BRUSSELBACK
Enforcement Chief

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

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IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Escrow Agent Registration Act of Washington by:

C-09-029-09-SC01

NOTICE OF OPPORTUNITY TO DEFEND
AND OPPORTUNITY FOR HEARING

INTEGRITY ESCROW AND CLOSING, LLC,
DENNIS E. CHILBERG, 47.5% Owner,
ALOAR D. DURHEIM, 47.5% Owner, and
DARALEE B. NEISESS, 5% Owner and Designated
Escrow Officer,

Respondents.

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THE STATE OF WASHINGTON TO: INTEGRITY ESCROW AND CLOSING, LLC,
DENNIS E. CHILBERG,
ALOAR D. DURHEIM,
DARALEE B. NEISESS

YOU ARE HEREBY NOTIFIED that a STATEMENT OF CHARGES has been filed by the Department
of Financial Institutions, a true and correct copy of which is attached and made a part hereof.

YOU ARE HEREBY NOTIFIED that you may file an application for an adjudicative hearing before the
Washington State Department of Financial Institutions on the Statement of Charges. Service of this notice is
deemed complete upon deposit in the United States mail. YOUR APPLICATION MUST BE RECEIVED BY
THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN 20 DAYS FROM THE DATE YOU
RECEIVED THIS NOTICE. If you demand a hearing, you will be notified of the time and place for the hearing at
least seven days in advance of the hearing date.

At the hearing, you may appear personally, and by counsel, if you desire. The hearing will be as informal
as is practical within the requirements of the Administrative Procedure Act (see chapter 34.05 RCW). The hearing
will be recorded. The primary concern will be getting to the truth of the matter insofar as the Statement of Charges
is concerned. Technical rules of evidence will not be binding at the hearing except for the rules of privilege
recognized by law. You have the right to present evidence and witnesses in your own behalf, and to cross-examine

1 those witnesses presented in support of the Statement of Charges. You may require the attendance of witnesses by
2 subpoena. If you are limited English- speaking or hearing impaired, you have the right to have an interpreter
3 appointed at no cost to you, as discussed below.

4 INTERPRETER AVAILABILITY. If you or a witness for you is a person who, because of non-English-
5 speaking cultural background, cannot readily speak or understand the English language, or if you or a witness for
6 you is a person who, because of a hearing impairment or speech defect, cannot readily understand or communicate
7 in spoken language, including persons who are deaf, deaf and blind, or hard of hearing, AND YOU NEED AN
8 INTERPRETER, then a qualified interpreter will be appointed at no cost to you or to the witness. You may request
9 the appointment of a qualified interpreter by indicating your request on the attached Application for Adjudicative
10 Hearing form.

11 YOU ARE FURTHER NOTIFIED that if the Department of Financial Institutions does not RECEIVE the
12 Application for Adjudicative Hearing form within 20 days from the date you received this notice, this will
13 constitute a waiver of your right to a hearing and the Director will find that you do not contest the allegations of the
14 Statement of Charges. Upon such a finding by the Director a final order will be immediately entered disposing of
15 this matter as described in the Statement of Charges. If you desire a hearing in this matter, please return the
16 attached Application for Adjudicative Hearing to:

17 Department of Financial Institutions
18 Division of Consumer Services
19 Attn: Fatima Batie
20 PO Box 41200
21 Olympia, Washington 98504-1200



22 Dated this 11th day of January, 2010.

23 *Deborah Bortner*

24 DEBORAH BORTNER
25 Director
Division of Consumer Services
Department of Financial Institutions