

**Terms Completed**  
**CONSENT ORDER SUMMARY - Case Number: C-09-029**

**Name(s)** Integrity Closing and Escrow, LLC  
Aloar D. Durham

**Order Number** C-09-029-10-CO02

**Effective Date** August 24, 2010

**License Number** 50209 (Integrity Closing)

**License Effect** Department accepts Voluntary Surrender

**Not Apply until** August 24, 2015

**Prohibition/Ban until** August 24, 2015

<b>Investigation Costs</b>	\$	Due	Paid Y N	Date

<b>Assessment(s)</b>	\$	Due	Paid Y N	Date

<b>Monetary Penalty</b>	\$1,000	Due	Paid Y	Date 8/17/10

**Other** Examination Fee - \$3,000 – paid 8/17/10

**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:

NO. C-09-029-10-CO02

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,

CONSENT ORDER

INTEGRITY CLOSING AND ESCROW, LLC  
and  
ALOAR D. DURHEIM

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Integrity Closing and Escrow, LLC (Respondent Integrity) and Aloar D. Durham (Respondent Durham), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled solely as they relate to Respondents Integrity and Durham, 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 Respondents Integrity and Durham 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 Respondents Integrity and Durham. Pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act), and RCW 34.05.060 of the Administrative Procedure

1 Act, Respondents Integrity and Durham hereby agree to the Department's entry of this Consent Order  
2 and further agree that the issues raised in the above-captioned matter, solely as they relate to Respondents  
3 Integrity and Durham, may be economically and efficiently settled by entry of this Consent Order. The  
4 Department and Respondents Integrity and Durham intend this Consent Order to fully resolve the  
5 Statement of Charges solely as they relate to Respondents Integrity and Durham. Respondents Integrity  
6 and Durham are agreeing not to contest the Statement of Charges in consideration of the terms of this  
7 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 Respondents Integrity and Durham have been  
13 informed of the right to a hearing before an administrative law judge, and that they hereby waive the right  
14 to a hearing and any and all administrative and judicial review of the issues raised in this matter, or of the  
15 resolution reached herein. Accordingly, by the authorized signatures below, Respondents Integrity and  
16 Durham hereby withdraw their appeals.

17 C. **No Admission of Liability.** It is AGREED that Respondents Integrity and Durham do not  
18 admit to any wrongdoing by entry of this Consent Order.

19 D. **License Surrender.** It is AGREED that the Department will accept the voluntary surrender  
20 of Respondents Integrity and Durham's license to conduct business as an Escrow Agent.

21 E. **Fine.** It is AGREED that Respondents Integrity and Durham shall pay to the Department a  
22 fine of \$1,000 in the form of a cashier's check made payable to the "Washington State Treasurer" upon  
23 entry of this Consent Order.  
24

1 F. **Examination Fee.** It is AGREED that Respondents Integrity and Durham shall pay to the  
2 Department an examination fee of \$3,000 in the form of a cashier's check made payable to the  
3 "Washington State Treasurer" upon entry of this Consent Order. Respondents Integrity and Durham  
4 may pay both the fine and examination fee in the form of a single cashier's check made payable to the  
5 "Washington State Treasurer."

6 G. **Agreement not to Apply.** It is AGREED that Respondents Integrity and Durham,  
7 individually or in the capacity as an owner, principal, share holder, or holder of any other type of  
8 ownership interest, shall not apply for a license to conduct business as an Escrow Agent or Escrow  
9 Officer for five years from the date of entry of this Consent Order.

10 H. **Non-Compliance with Order.** It is AGREED that Respondents Integrity and Durham  
11 understand that failure to abide by the terms and conditions of this Consent Order may result in further  
12 legal action by the Director. In the event of such legal action, Respondents Integrity and Durham may  
13 be responsible to reimburse the Director for the costs incurred in pursuing such action, including but  
14 not limited to, attorney fees.

15 I. **Authority to Execute Order.** It is AGREED that Respondent Durham has represented and  
16 warranted that he has the full power and right to execute this Consent Order on behalf of Respondents  
17 Integrity and Durham.

18 J. **Voluntarily Entered.** It is AGREED that Respondents Integrity and Durham have  
19 voluntarily entered into this Consent Order, which is effective when signed by the Director's designee.

20 K. **Completely Read, Understood, and Agreed.** It is AGREED that Respondents Integrity and  
21 Durham have read this Consent Order in its entirety and fully understand and agree to all of the same.  
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1 **RESPONDENTS:**

2 **Integrity Closing and Escrow, LLC**

3 **By:**

4 SEE ATTACHED

5 Aloar D. Durham  
6 Owner

\_\_\_\_\_ Date

7 SEE ATTACHED

8 Aloar D. Durham  
9 Individually

\_\_\_\_\_ Date

10 **DO NOT WRITE BELOW THIS LINE**

11 THIS ORDER ENTERED THIS 24<sup>th</sup> DAY OF August, 2010.



12  
13 Deborah Bortner

14 DEBORAH BORTNER  
15 Director  
16 Division of Consumer Services  
17 Department of Financial Institutions

18 Presented by:

19 Steven C. Sherman

20 STEVEN C. SHERMAN  
21 Financial Legal Examiner

22 Approved by:

23 James R. Brusselback

24 JAMES R. BRUSSELBACK  
25 Enforcement Chief

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**RESPONDENTS:**

**Integrity Closing and Escrow, LLC**

**By:**

*Aloar D. Durham*

ALOAR D. DURHEIM  
Owner

*8-9-10*

Date

*Aloar D. Durham*

ALOAR D. DURHEIM  
Individually

*8-9-10*

Date

**DO NOT WRITE BELOW THIS LINE**

THIS ORDER ENTERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 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

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

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

8 INTEGRITY ESCROW AND CLOSING,  
9 LLC,  
10 DENNIS E. CHILBERG,  
11 47.5% Owner,  
12 ALOAR D. DURHEIM,  
13 47.5% Owner, and  
14 DARALEE B. NEISESS,  
15 5% Owner and Designated Escrow Officer,

16 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

17 INTRODUCTION

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

24 I. FACTUAL ALLEGATIONS

25 1.1 Respondents.

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. 3<sup>rd</sup> 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 8<sup>th</sup> day of January, 2010.



DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

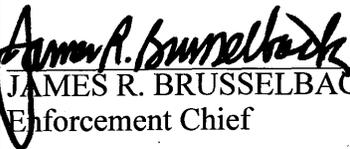
Presented by:



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 11<sup>th</sup> day of January, 2010.

23 *Deborah Bortner*

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