# Terms Completed

## **ORDER SUMMARY – Case Number: C-17-2142**

Name(s):	Mr. Allan Gre	gory Mohr		
Order Number:	C-17-2142-17-	-FO01		
Effective Date:	04/13/2017			
License Number: Or NMLS Identifier [U/L]	110560			
License Effect:	Application de	nied		
Not Apply Until:				
Not Eligible Until:				
Prohibition/Ban Until:				
<b>Investigation Costs</b>	\$	Due	Paid	Date
Fine	\$	Due	Paid Y N	Date
Assessment(s)	\$	Due	Paid	Date
Restitution	\$	Due	Paid	Date
Judgment	\$	Due	Paid N	Date
Satisfaction of Judgment I	Filed?	 		
	No. of Victims:			
Comments:				

### 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-17-2142-17-FO01

ALLAN GREGORY MOHR, NMLS ID# 110560,

FINAL ORDER

VMLS ID# 110560, Respondent.

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## I. DIRECTOR'S CONSIDERATION

8 A. Default. This matter has come before the Director of the Department of Financial 9 Institutions of the State of Washington (Director), through her designee, Consumer Services Division 10 Director Charles E. Clark (Director's designee), pursuant to RCW 34.05.440(1). On February 14, 11 2017, the Director, through the Director's designee, issued a Statement of Charges and Notice of 12 Intention to Enter an Order to Deny License Application and Recover Costs and Expenses (Statement 13 of Charges) against Allan Gregory Mohr (Respondent). A copy of the Statement of Charges is 14 attached and incorporated into this order by this reference. The Statement of Charges was 15 accompanied by a cover letter dated February 15, 2017, a Notice of Opportunity to Defend and 16 Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent 17 (collectively, accompanying documents). 18

On February 15, 2017, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On February 16, 2017, 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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24 FINAL ORDER

C-17-2142-17-FO01 ALLAN GREGORY MOHR DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

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. <u>Record Presented</u> . 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					
6	February 15, 2017, Notice of Opportunity to Defend and Opportunity for Hearing, and blank					
7	Application for Adjudicative Hearing for Respondent, with documentation for service.					
8	C. <u>Factual Findings and Grounds for Order</u> . Pursuant to RCW 34.05.440(1), the					
9	Director's designee hereby adopts the Statement of Charges, which is attached hereto.					
10	II. <u>FINAL ORDER</u>					
11	Based upon the foregoing, and the Director's designee having considered the record and bein					
12	otherwise fully advised, NOW, THEREFORE:					
13	A. IT IS HEREBY ORDERED, That:					
14	Respondent Allan Gregory Mohr's application for a license to conduct the business of a Mortgage Loan Originator is denied.					
15	B. <u>Reconsideration</u> . Pursuant to RCW 34.05.470, Respondent has the right to file a					
16	Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition					
17	must be filed in the Office of the Director of the Department of Financial Institutions by courier at					
18	150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,					
19	Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The					
20	Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for					
21	Reconsideration a prerequisite for seeking judicial review in this matter.					
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24	FINAL ORDER 2 DEPARTMENT OF FINANCIAL INSTITUTIONS					

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. <u>Stay of Order</u> . 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. <u>Judicial Review</u> . 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. <u>Non-compliance with Order</u> . If you do not comply with the terms of this order,					
11	including payment of any amounts owed within 30 days of receipt of this order, the Department					
12	may seek its enforcement by the Office of the Attorney General to include the collection of the					
13	expenses imposed herein. The Department also may assign the amounts owed to a collection agency					
14	for collection.					
15	F. <u>Service</u> . For purposes of filing a Petition for Reconsideration or a Petition for Judicia					
16	Review, service is effective upon deposit of this order in the U.S. mail, declaration of service					
17	attached hereto.					
18	DATED this 13 <sup>th</sup> day of April, 2017.					
19	DATED this 13 day of April, 2017.					
20	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS					
21						
	/s/					
22	CHARLES E. CLARK Director					
23	Division of Consumer Services					
24	FINAL ORDER 3 DEPARTMENT OF FINANCIAL INSTITUTIONS C-17-2142-17-F001 Division of Consumer Service					

ALLAN GREGORY MOHR

STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS **DIVISION OF CONSUMER SERVICES** IN THE MATTER OF INVESTIGATING the No.: C-17-2142-17-SC01 Loan Originator License Application under the

Consumer Loan Act of Washington by:

ALLAN GREGORY MOHR, NMLS ID# 110560

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Respondent.

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 Acting Director of the Department of Financial Institutions of the State of Washington (Acting 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 Acting Director, through her designee, Division of Consumer Services Director Charles E. Clark, institutes this proceeding and finds as follows:

### I. FACTUAL ALLEGATIONS

- 1.1 **Allan Gregory Mohr (Respondent)** was licensed as a mortgage loan originator from May 11, 2007, through December 31, 2016, when his license expired. Respondent submitted an application to the Department of Financial Institutions of the State of Washington (Department) to renew his mortgage loan originator license under Mortgage Express, LLC, 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 November 30, 2016.
- 1.2 Financial Responsibility, Character, and General Fitness. At the time of application, Respondent had unpaid tax liens totaling more than \$200,000 filed against him. Respondent's unpaid tax liens show disregard in the management of his financial condition. Although Respondent had

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previously disclosed one unpaid tax lien, Respondent did not disclose a further three additional unpaid tax liens until February 3, 2017.

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#### II. GROUNDS FOR ENTRY OF ORDER

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2.1 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness.

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requirements of RCW 31.04.247(1)(e) and WAC 208-620-710 by failing to demonstrate financial

Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the

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responsibility, character, and general fitness such as to command the confidence of the community

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and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and

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efficiently within the purposes of the Act. Pursuant to WAC 208-620-710(3)(b), an applicant has not

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demonstrated financial responsibility when the applicant shows disregard in the management of his or

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her financial condition. A determination that an individual has shown disregard in the management

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outstanding judgments, except judgments solely as a result of medical expenses; current outstanding

of his or her financial condition may include, but is not limited to, and assessment of: Current

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tax liens or other government liens and filings; foreclosures within the last three years; or a pattern of

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seriously delinquent accounts within the past three years. Specifically, an applicant is not eligible to

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receive a loan originator license if the applicant has one hundred thousand dollars or more of tax liens

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III. AUTHORITY TO IMPOSE SANCTIONS

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3.1 Authority to Deny Application for Mortgage Loan Originator License. Pursuant to RCW

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31.04.247(2), the Director shall not issue a mortgage loan originator license if the director finds the

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conditions of RCW 31.04.247 have not been met.

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**3.2 Authority to Recover Costs and Expenses**. Pursuant to RCW 31.04.205(2), the Director

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may recover the state's costs and expenses for prosecuting violations of the Act.

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at the time of application.

#### IV. NOTICE OF INTENT TO ENTER ORDER

2 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose 3 4 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW 31.04.205, and RCW 31.04.247. Therefore, it is the Acting Director's intent to ORDER that: 5 4.1 Respondent Allan Gregory Mohr's application for a mortgage loan originator license 6 be denied. 7 4.2 Respondent Allan Gregory Mohr pay the Department's costs and expenses for prosecuting violations of the Act in an amount to be determined at hearing or by 8 declaration with supporting documentation in event of default by Respondent. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

STATEMENT OF CHARGES C-17-2142-17-SC01 ALLAN GREGORY MOHR

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DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services P.O. Box 41200 Olympia, WA 98504-1200 (360) 902-8703

1	V. AUTHORITY AND PROCEDURE  This Statement of Charges and Notice of Intent to Enter an Order to Deny License  Application and Recover Costs and Expenses (Statement of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject					
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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  ADJUDICATIVE HEARING AND TO DEFEND accompanying this Statement of Charges.  Dated this 2 <sup>nd</sup> day of February, 2017.					
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10	/s/					
11	CHARLES E. CLARK Director					
12	Division of Consumer Services Department of Financial Institutions					
13	Department of Pinancial Institutions					
14	Presented by:					
15	/s/					
16	ROBERT E. JONES Financial Legal Examiner					
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18	Approved by:					
19	STEVEN C. SHERMAN					
20	Enforcement Chief					
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