

TERMS COMPLETED

ORDER SUMMARY – Case Number: C-09-516

Name(s): Thomas James Capital Inc.
Thomas Lawrence Beadel
James Russell Quandt

Order Number: C-09-516-10-CO01

Effective Date: March 25, 2010

License Number: DFI: 43972 [NMLS: 35967] [NMLS: 103633] [NMLS: 103635]
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)
 If applicable, you must specifically note the ending dates of terms.

License Effect: n/a

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$828.12	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: March 25/10
Fine	\$2,071.88	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: March 25/10
Late Penalty	\$2,100.00	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: March 25/10
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments:

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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
Consumer Loan Act of Washington by:

NO. C-09-516-10-CO01

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THOMAS JAMES CAPITAL INC., and THOMAS
LAWRENCE BEADEL, Owner, President and
Treasurer, and JAMES RUSSELL QUANDT,
Owner, Vice-President and Secretary,

CONSENT ORDER

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Thomas James Capital Inc. (hereinafter Respondent Capital), Thomas Lawrence Beadel, Owner, President and Treasurer (hereinafter Respondent Beadel), and James Russell Quandt, Owner, Vice-President and Secretary (hereinafter Respondent Quandt), 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 chapter 31.04 of 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 have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-516-09-SC01 (Statement of Charges), entered February 12, 2010, (copy attached hereto). Pursuant to chapter 31.04 RCW, the Consumer Loan Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the Department's entry of this Consent Order and further agree that the issues raised in the above-captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

CONSENT ORDER
C-10-516-10-CO01
THOMAS JAMES CAPITAL INC., THOMAS
LAWRENCE BEADEL, and JAMES RUSSELL
QUANDT

1

DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
2 activities discussed herein.

3 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a hearing
4 before an administrative law judge, and that they hereby waive their right to a hearing and any and all
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.
6 Accordingly, by signing below, the Respondents withdraw their appeal in the above-captioned matter.

7 C. **Fine.** It is AGREED that Respondents shall pay to the Department a fine of \$2,071.88, in the form of
8 a cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent Order.

9 D. **Late Penalty.** It is AGREED that Respondents shall pay to the Department a late penalty of \$2,100,
10 in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent
11 Order.

12 E. **Investigation Fee.** It is AGREED that Respondents shall pay to the Department an investigation fee
13 of \$828.12, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this
14 Consent Order. The fine, late penalty and investigation fee may be paid with one cashier's check.

15 F. **Authority to Execute Order.** It is AGREED that the undersigned Respondents have represented and
16 warranted that they have the full power and right to execute this Consent Order on behalf of the parties
17 represented.

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

22 H. **Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into
23 this Consent Order, which is effective when signed by the Director's designee.

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CONSENT ORDER
C-10-516-10-CO01
THOMAS JAMES CAPITAL INC., THOMAS
LAWRENCE BEADEL, and JAMES RUSSELL
QUANDT

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

3 **RESPONDENTS:**

4 **Thomas James Capital Inc.**

5 By:

6 _____

_____ Date

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8 
9 Thomas Lawrence Beadel
10 Owner, President, and Treasurer

3/17/10
Date

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12 
13 James Russell Quandt
14 Owner, Vice-President, and Secretary

3/17/2010
Date

15 DO NOT WRITE BELOW THIS LINE

16 THIS ORDER ENTERED THIS 25th DAY OF March, 2010.



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18 _____

19 DEBORAH BORTNER
20 Director
21 Division of Consumer Services
22 Department of Financial Institutions

23 Presented by:

24 
25 _____
26 WILLIAM HALSTEAD
27 Financial Legal Examiner

28 Approved by:

29 
30 _____
31 JAMES R. BRUSSELBACK
32 Enforcement Chief

33 CONSENT ORDER
34 C-10-516-10-CO01
35 THOMAS JAMES CAPITAL INC., THOMAS
36 LAWRENCE BEADEL, and JAMES RUSSELL
37 QUANDT

1 **1.3 Failure to Timely File 2008 Annual Assessment Report and Consolidated Annual Report.** An
2 Annual Assessment Report and a Consolidated Annual Report, and any assessment fee due, are to be provided
3 to the Department on or before the first day of March of each year, concerning the business and operations of
4 each licensed place of business conducted during the preceding calendar year. The reports must be made under
5 oath and must be in the form prescribed by the Director. Respondents filed their 2008 reports, due on March 2,
6 2009, (as the 1st was Sunday) on March 23, 2009. Respondents filed the reports 21 days late. The Respondents
7 did not submit the \$50 per report per day late penalty (\$2,100) with its reports. On June 3, 2009, the
8 Department issued a letter to the Respondents directing them to pay the \$2,100 late penalty by June 15, 2009.
9 The Respondents did not to respond to the letter, and the \$2,100 late penalty remains unpaid.

10 **1.4 Failure to Notify Department of Closure.** Respondents did not notify the Department, within 20
11 days, that it had ceased operations in the State of Washington. The Respondents notified the Department on
12 October 19, 2009, that it had effectively ceased operations in the state of Washington on June 1, 2009.

13 **1.5 Failure to Timely File 2009 Annual Assessment Report and Consolidated Annual Report.** An
14 Annual Assessment Report and a Consolidated Annual Report, and any assessment fee due, are to be provided
15 to the Department within 30 days of closure. The Respondents ceased operations in Washington State on June
16 1, 2009, but did not file a 2009 Annual Assessment Report and a Consolidated Annual Report until October 19,
17 2009. The reports were due on July 1, 2009. The reports were filed 109 days late. As a result, a late penalty of
18 \$50 per report, per day, accrued from July 1, 2009, through October 19, 2009, or 111 days. A late penalty of
19 \$11,100 is due the Department from the Respondents.

20 **1.6 On-Going Investigation:** The Department's investigation into the alleged violations of the Act by
21 Respondents continues to date.

22 II. GROUNDS FOR ENTRY OF ORDER

23 **2.1 Requirement to File Annual Report:** Based on the Factual Allegations set forth in Section I above,
24 Respondents are in apparent violation of RCW 31.04.155, WAC 208-620-430 and WAC 208.620-460 for
25 failing to provide an annual report to the Director, under oath and in the form prescribed by the Director, on or

1 before the first day of March, or within 30 days of closure, concerning the business and operations of each
2 licensed place of business conducted during the preceding calendar year.

3 **2.2 Requirement to Calculate and Pay Annual Assessment:** Based on the Factual Allegations set forth
4 in Section I above, Respondents are in apparent violation of RCW 31.04.085, WAC 208-620-430, and WAC
5 208.620-460 for failing to provide to the Director a completed annual assessment calculation worksheet and
6 failing to pay to the Director an annual assessment fee on or before the first day of March, or within 30 days of
7 closure, relating to the previous calendar year.

8 **2.3 Requirement to Notify Department of Significant Developments.** Based on the Factual Allegations
9 set forth in Section I above, Respondents are in apparent violation of WAC 208-620-475 for failing to notify the
10 Department, within 20 days, that it ceased conducting the business of a consumer loan company in the state of
11 Washington.

12 **2.4 Requirement to Pay Late Penalties.** Based on the Factual Allegations set forth in Section I above,
13 Respondents are in apparent violation of RCW 31.04.155 and WAC 208-620-430 for failing to pay a late
14 penalty.

15 **2.5 Requirement to Respond to Directives.** Based on the Factual Allegations set forth in Section I above,
16 Respondents are in apparent violation of WAC 208-620-570 for failing to comply with requirements of the
17 Department.

18 III. AUTHORITY TO IMPOSE SANCTIONS

19 **3.1 Authority to Impose Fine:** Pursuant to RCW 31.04.093(4)(a) and (b), the Director may impose fines of
20 up to one hundred dollars per day upon the licensee for any violation of the Act or failure to comply with any
21 order or subpoena issued by the Director under the Act.

22 **3.2 Authority to Impose and Collect Late Penalties:** Pursuant to RCW 31.04.155, WAC 208-620-430,
23 and WAC 208-620-460, a licensee that fails to file a report required to be filed by the Act within the time
24 required is subject to a penalty of fifty dollars per day, per report, for each day's delay.

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1 **3.3 Authority to Issue Orders Directing Affirmative Action:** Pursuant to RCW 31.04.093(5)(b), the
2 Director may issue an order directing a licensee to take such affirmative action as is necessary to comply with the
3 Act.

4 **3.4 Authority to Collect Investigation Fees:** Pursuant to RCW 31.04.145(3), and WAC 208-620-190,
5 every licensee investigated by the Director or the Director's designee shall pay for the cost of the investigation,
6 calculated at the rate of sixty-six dollars and one cent (\$69.01) per staff hour.

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

9 Respondents' violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in
10 the above Factual Allegations and Grounds for Entry of Order, constitute a basis for the entry of an Order under
11 RCW 31.04.093, RCW 31.04.165 and RCW 31.04.205. Therefore, it is the Director's intention to ORDER that:

12 **4.1** Respondents Thomas James Capital, Inc., Thomas Lawrence Beadel, and James Russell Quandt, jointly
13 and severally pay a fine, which at the time of this document, totals \$6,000;

14 **4.2** Respondents Thomas James Capital, Inc., Thomas Lawrence Beadel, and James Russell Quandt, jointly
15 and severally pay late penalties, which at the time of this document, totals \$13,200;

16 **4.3** Respondents Thomas James Capital, Inc., Thomas Lawrence Beadel, and James Russell Quandt, jointly
17 and severally pay an investigation fee, which at the time of this document totals, \$828.12 calculated at \$69.01 for
18 the 12 staff hours devoted to the investigation;

19 **4.4** Respondents Thomas James Capital, Inc., Thomas Lawrence Beadel, and James Russell Quandt, maintain
20 records in compliance with the Act and provide the Director with the location of the books, records and other
21 information relating to Respondent Thomas James Capital, Inc's consumer loan company business, and the name,
22 address and telephone number of the individual responsible for maintenance of such records in compliance with the
23 Act.

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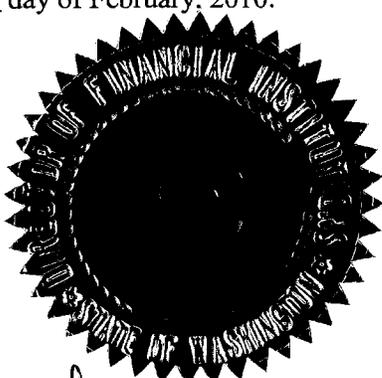
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1 **IV. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intention to Enter an Order to Impose Fine, Collect Late
3 Penalty, Order Affirmative Action, and Collect Investigation Fee is entered pursuant to the provisions of RCW
4 31.04.093, RCW 31.04.165, RCW 31.04.202 and RCW 31.04.205, and is subject to the provisions of chapter
5 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as set
6 forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
7 accompanying this Statement of Charges.

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9 Dated this 17th day of February, 2010.



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Deborah Bortner
DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

18 Presented by:

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William Halstead

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25

WILLIAM HALSTEAD
Financial Legal Examiner

Approved by:

James R. Brusselback

JAMES R. BRUSSELBACK
Enforcement Chief