

## ORDER SUMMARY – Case Number: C-14-1541-16-CO02

**Name(s):** Randolph Anthony Stolle

**Order Number:** C-14-1541-16-CO02

**Effective Date:** April 11, 2016

**License Number:** NMLS #254134  
**Or NMLS Identifier [U/L]**

**License Effect:** N/A

**Not Apply Until:** April 11, 2021

**Not Eligible Until:** April 11, 2021

**Prohibition/Ban Until:** Five years from date of entry

<b>Investigation Costs</b>	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$15,000	\$9,500 STAYED \$1,500 due now Due \$4,000 w/in 1yr	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date 4/4/2016
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

---



---



---



---



---

1  
2  
3  
4  
5  
6  
7

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

IN THE MATTER OF DETERMINING:  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

No.: C-14-1541-16-CO02

CONSENT ORDER

RANDOLPH ANTHONY STOLLE,  
NMLS #254134,  
Respondent.

8  
9  
10  
11  
12

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Charles E. Clark, Division Director, Division of Consumer Services, and Randolph Anthony Stolle (Respondent Stolle), 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 the Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

13  
14

**AGREEMENT AND ORDER**

15  
16  
17  
18  
19  
20

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-14-1541-15-SC01 (Statement of Charges), entered April 16, 2015, (copy attached hereto). Pursuant to chapter 31.04 RCW, the Consumer Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees 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.

21  
22

Based upon the foregoing:

23  
24

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

**B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a

1 hearing before an administrative law judge, and hereby waives his right to a hearing and any and all  
2 administrative and judicial review of the issues raised in this matter, or of the resolution reached  
3 herein. Accordingly, Respondent, by his signature below, withdraws his appeal to the Office of  
4 Administrative Hearings.

5 **C. Order to Cease and Desist.** It is AGREED that Respondent shall cease and desist from  
6 engaging in the business of a mortgage loan originator.

7 **D. Prohibition from Industry.** It is AGREED that, for a period of five years from the date  
8 of entry of this Consent Order, Respondent is prohibited from participating, in any capacity, in the  
9 conduct of the affairs of any consumer loan company or mortgage broker licensed by the  
10 Department or subject to licensure or regulation by the Department.

11 **E. Confession of Judgment.** It is AGREED that the Department has accepted a  
12 Confession of Judgment from Respondent for the fine obligation agreed to in Paragraph F of this  
13 Consent Order. A copy of this Confession of Judgment is attached and incorporated into this  
14 Consent Order by this reference. It is further AGREED that the Department will not seek entry of  
15 the judgment as long as Respondent makes timely payment in accordance with Paragraph F of this  
16 Consent Order. In the event Respondent fails to make a payment required under this Consent Order  
17 the Department may immediately seek entry of the judgment consistent with RCW 4.60.  
18 Respondent shall, upon the Department's request, fully and promptly cooperate with the  
19 Department in its efforts to get the judgment entered by the superior court.

20 **F. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount  
21 of \$15,000. It is further AGREED that Respondent shall pay \$1,500 of the fine in the form of a  
22 cashier's check made payable to the "Washington State Treasurer" upon entry of this Consent  
23 Order. It is further AGREED that Respondent shall pay \$4,000 of the fine within twelve months of  
24 the entry of this Consent Order.

**G. Stay of Fine.** It is AGREED that \$9,500 of the fine referenced in Paragraph F will be  
STAYED based on Respondent's compliance with all of the terms of this Consent Order.

1           **H. Lifting of Stay.** It is AGREED that:

- 2           1. If the Department determines that Respondent has not complied with any of the  
3           terms of this Consent Order, and the Department accordingly seeks to lift the stay  
4           and impose the fine set forth in Paragraph F above, the Department will first notify  
5           Respondent in writing of its determination.
- 6           2. The Department's notification will include:
- 7           i. A description of the alleged noncompliance;
  - 8           ii. A statement that because of the noncompliance, the Department seeks to lift  
9           the stay and impose the fine;
  - 10          iii. The opportunity for Respondent to contest the Department's determination of  
11          noncompliance in an administrative hearing before an Administrative Law  
12          Judge (ALJ) of the Office of Administrative Hearings (OAH); and
  - 13          iv. A copy of this Consent Order. The notification and hearing process provided  
14          in this Consent Order applies only to this Consent Order. It is solely  
15          provided in the event Respondent chooses to contest the Department's  
16          determination of noncompliance.
- 17          3. Respondent will be afforded ten (10) business days from the date of receipt of the  
18          Department's notification to submit a written request to the Department for an  
19          administrative hearing to be held before an ALJ from the OAH.
- 20          4. Respondent, in addition to his request for hearing, may provide a written response to  
21          include any information pertaining to the alleged noncompliance.
- 22          5. The administrative hearing shall follow the timing and processes described in this  
23          Consent Order.
- 24          6. The scope and issues of the hearing are limited solely to whether or not Respondent  
is in violation of the terms of this Consent Order.
7. At the conclusion of the hearing, the ALJ will issue an initial decision. Either party  
may file a Petition for Review with the Director of the Department.
8. If Respondent does not request the hearing within the stated time, the Department  
will impose the fine and pursue whatever action it deems necessary to enforce the  
sanctions.

1           **I. Change of Address.** It is AGREED that for the duration of the period this Consent  
2           Order is in effect, unless otherwise agreed to in writing by the Department, Respondent shall  
3           provide the Department with a mailing address and telephone number at which Respondent can be  
4           contacted and Respondent shall notify the Department in writing of any changes to his mailing  
5           address or telephone number within fifteen days of any such change.

1 J. **Non-Compliance with Order.** It is AGREED that Respondent understands that failure  
2 to abide by the terms and conditions of this Consent Order may result in further legal action by the  
3 Director. In the event of such legal action, Respondent may be responsible to reimburse the  
4 Director for the cost incurred in pursuing such action, including but not limited to, attorney fees.

5 K. **Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this  
6 Consent Order, which is effective when signed by the Director's designee.

7 L. **Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read  
8 this Consent Order in its entirety and fully understands and agrees to all of the same.

9 **RESPONDENT:**

10 [Redacted Signature]  
11 RANDOLPH ANTHONY STOLLE  
12 Individually

13 Date

4/11/2016

14 DO NOT WRITE BELOW THIS LINE

15 THIS ORDER ENTERED THIS 11<sup>th</sup> DAY OF April, 2016.



16 [Redacted Signature]  
17 CHARLES E. CLARK  
18 Director  
19 Division of Consumer Services  
20 Department of Financial Institutions

21 Presented by:

22 [Redacted Signature]  
23 ROBERT E. JONES  
24 Financial Legal Examiner

Approved by:

[Redacted Signature]  
STEVEN C. SHERMAN  
Enforcement Chief

1  
2  
3  
4  
5  
6  
7  
8  
STATE OF WASHINGTON  
THURSTON COUNTY SUPERIOR COURT

9 STATE OF WASHINGTON,  
10 DEPARTMENT OF FINANCIAL  
INSTITUTIONS,

11 Plaintiff,

12 v.

13 RANDOLPH ANTHONY STOLLE,

14 Defendant.

NO.

CONFESSION OF JUDGMENT

*(Clerk's Action Required)*

15 **Judgment Summary**

16 Judgment Creditor: State of Washington, Department of Financial  
Institutions

17 Attorneys for Department of Financial Institutions: Robert W. Ferguson, Washington Attorney General  
18 Jong M. Lee, Assistant Attorney General

19 Judgment Debtor: Randolph Anthony Stolle

20 Principal Judgment Amount: \$15,000.00 owed to the Department of Financial  
21 Institutions

22 Total Judgment Amount: \$15,000.00

23 Post-Judgment Interest (per annum): 12%

24 Pursuant to Chapter 4.60 of the Revised Code of Washington, Judgment by Confession,  
25 Defendant Randolph Anthony Stolle hereby authorizes entry of a judgment under the following  
26 terms:

**Factual Basis for Judgment**

The State of Washington, Department of Financial Institutions and Randolph Anthony Stolle have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-14-1541-15-SC01 (Statement of Charges), entered April 16, 2015. Randolph Anthony Stolle has agreed to enter into a Confession of Judgment, pursuant to chapter 4.60 RCW, in the amount of \$15,000.00 for payment of fines, and at an interest rate of twelve percent, which shall be paid to the State of Washington, Department of Financial Institutions.

**Authorization for Entry of Judgment**

I, Randolph Anthony Stolle, being duly sworn upon oath, acknowledge the debt of \$15,000.00 to the State of Washington, Department of Financial Institutions. I authorize entry of judgment against me for the amount set forth in the judgment summary above and at an interest rate set forth in the judgment summary above.

DATED this 1<sup>st</sup> day of April, 2016.

[Redacted Signature]

RANDOLPH ANTHONY STOLLE,  
Defendant

SUBSCRIBED AND SWORN TO before me in Gig Harbor, Washington this 1<sup>st</sup> day of April, 2016.

[Redacted Signature]

Notary Public in and for the State of Washington, residing at Gig Harbor, Washington.  
My Commission expires: July 8<sup>th</sup> 2018







1 **1.3 False Statement.** On December 29, 2014, the Department deposed Respondent  
2 Stolle. During the deposition, Respondent Stolle was asked the following question: “Did you  
3 ever meet with clients and take their applications or quote rates or terms to them?”  
4 Respondent Stolle’s answer stated in pertinent part: “I would meet the clients, sir. I did not  
5 quote their terms.” Between January 16, 2013, and August 11, 2014, Respondent Stolle  
6 actually quoted rates or terms via email to at least eleven borrowers.

## 7 **II. GROUNDS FOR ENTRY OF ORDER**

8 **2.1 Definition of Residential Mortgage Loan.** Pursuant to RCW 31.04.015(21) “residential  
9 mortgage loan” means any loan primarily for personal, family, or household use that is secured by a  
10 mortgage, deed of trust, or other equivalent consensual security interest on a dwelling, as defined in  
11 section 103(v) of the truth in lending act, or residential real estate upon which is constructed or  
12 intended to be constructed a dwelling.

13 **2.2 Definition of Mortgage Loan Originator.** Pursuant to RCW 31.04.015(15)(a) “mortgage  
14 loan originator” means an individual who for compensation or gain (i) takes a residential mortgage  
15 loan application, or (ii) offers or negotiates terms of a residential mortgage loan.

16 **2.3 Definition of Borrower.** Pursuant to RCW 31.04.015(3) “borrower” means any person who  
17 consults with or retains a licensee or person subject to the Act in an effort to obtain, or who seeks  
18 information about obtaining a loan, regardless of whether that person actually obtains such a loan.

19 **2.4 Unlicensed Activity.** Based on the Factual Allegations set forth in Section I above,  
20 Respondent Stolle is in apparent violation of RCW 31.04.221 for engaging in the business of a  
21 mortgage loan originator without first obtaining and maintaining a license under the Act.

22 **2.5 False Statement.** Based on the Factual Allegations set forth in Section I above, Respondent  
23 Stolle is in apparent violation of RCW 31.04.027(8) for negligently making any false statement or

1 knowingly and willfully making any omission of material fact in connection with any investigation  
2 conducted by the Department.

### 3 III. AUTHORITY TO IMPOSE SANCTIONS

4 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 31.04.093(5)(a), the  
5 Director may issue orders directing a licensee, its employee, loan originator, or other person subject  
6 to the Act to cease and desist from conducting business in a manner that violates any provision of the  
7 Act.

8 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 31.04.093(6), the Director may  
9 issue an order prohibiting from participation in the affairs of any licensee, employee, or any other  
10 person subject to the Act for (e) a violation of RCW 31.04.027, or (f) failure to obtain a license for  
11 activity that requires a license.

12 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4) and WAC 208-620-610(2) and (3),  
13 the Director may impose fines of up to one hundred dollars per day, per violation, upon the licensee,  
14 its employee or loan originator, or any other person subject to the Act for any violation of the Act.  
15 Each day's continuance of the violation is a separate and distinct offense.

### 16 IV. NOTICE OF INTENTION TO ENTER ORDER

17 Respondent Stolle's violations of the provisions of chapter 31.04 RCW and chapter 208-620  
18 WAC, as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to  
19 Impose Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW  
20 31.04.165, and RCW 31.04.205. Therefore, it is the Director's intention to ORDER that:

21 **4.1** Respondent Randolph Anthony Stolle cease and desist from engaging in the business  
22 of a mortgage loan originator.

23 **4.2** Respondent Randolph Anthony Stolle be prohibited from participation in the conduct  
24 of the affairs of any consumer loan company subject to licensure by the Director, in  
any manner, for a period of five years.

1  
2 4.3 Respondent Randolph Anthony Stolle pay a fine. As of the date of this Statement of  
Charges, the fine totals \$15,000.

3 **V. AUTHORITY AND PROCEDURE**

4 This Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist,  
5 Prohibit from Industry, and Impose Fine (Statement of Charges) is entered pursuant to the provisions  
6 of RCW 31.04.093, RCW 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject to the  
7 provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondent Stolle may make  
8 a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND  
9 OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

10 Dated this 16<sup>th</sup> day of April, 2015.



11 [Redacted Signature]  
12 CHARLES E. CLARK  
13 Director  
14 Division of Consumer Services  
15 Department of Financial Institutions

16 Presented by:

17 [Redacted Signature]  
18 ROBERT E. JONES  
19 Financial Legal Examiner

20 Approved by:

21 [Redacted Signature]  
22 STEVEN C. SHERMAN  
23 Enforcement Chief