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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:

Kathleen Ann Hurley,
Designated Escrow Officer,

Respondents.

NO. C-03-158-03-FO01

FINAL ORDER

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I. DIRECTOR'S CONSIDERATION

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A. Review. This matter has come before the Director to review the Statement of Charges and Notice of Intent to Assess Monetary Penalties, Revoke License, and Prohibit from Participation in the Escrow Industry ("Statement of Charges") entered by the Director through her designee, Acting Assistant Director Chuck Cross, on August 15, 2003. A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Kathleen Ann Hurley ("Respondent"). The Department served the Statement of Charges, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Respondent by certified mail, and Respondent signed for the documents on August 18, 2003. Respondent did not request an administrative hearing.

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B. Record of Proceedings. The record presented to the Director for her review and for entry of a final decision included the Statement of Charges, the Notice of Opportunity to Defend and Opportunity for Hearing, the blank Application for Adjudicative Hearing, and documentation of service.

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C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the Director hereby adopts the Statement of Charges, which is attached hereto.

1 II. FINAL ORDER

2 Based upon the foregoing, and the Director having considered the entire record and being
3 otherwise fully advised, NOW, THEREFORE:

4 A. IT IS HEREBY ORDERED, That:

- 5 1. The license of Kathleen Ann Hurley to do business as an escrow officer is revoked; and
6 2. Kathleen Ann Hurley is prohibited from participation in the conduct of the affairs of a
7 licensed escrow agent as an officer, principal, or employee of any licensed escrow agent or
8 any person subject to licensing under this chapter for ten (10) years; and
9 3. Kathleen Ann Hurley pay a fine in the amount of \$12,000.00; calculated at \$100.00
10 per day for thirty days:
11 one violation of RCW 18.44.301(6); and
one violation of RCW 18.44.400; and
two violations of RCW 18.44.430(1).

12 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for
13 Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the
14 Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW,
15 Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200,
16 within ten (10) days of service of the Final Order upon Respondent. The Petition for Reconsideration shall
17 not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial
18 review in this matter.

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20 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the
21 petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice
22 specifying the date by which it will act on a petition.

1 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
2 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
3 Review made under chapter 34.05 RCW and RCW 34.05.550.

4 D. Judicial Review. Respondents have the right to petition the superior court for judicial
5 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a
6 Petition for Judicial Review, see RCW 34.050.510 and sections following.

7 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
8 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached hereto.
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11 DATED this 23rd day of September, 2003.

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13 STATE OF WASHINGTON
14 DEPARTMENT OF FINANCIAL INSTITUTIONS

15 /S/
16 _____
17 Helen P. Howell
18 Director

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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:

Kathleen Ann Hurley, Designated Escrow Officer,

Respondents.

NO. C-03-158-03-SC01

STATEMENT OF CHARGES and NOTICE OF
INTENT TO ASSESS MONETARY PENALTIES,
REVOKE LICENSE, AND PROHIBIT FROM
PARTICIPATION IN THE ESCROW INDUSTRY

INTRODUCTION

Pursuant to RCW 18.44.410 and WAC 208-680G-030, the Director of the Department of Financial Institutions ("Director") is responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act ("the Act"). The referenced statutes (RCW) and rules (WAC) are attached, in pertinent part. After having conducted an investigation pursuant to RCW 18.44.420, and based upon the facts available as of August 11, 2003, the Director institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondent Kathleen Ann Hurley ("Respondent") is known to have conducted business as the Designated Escrow Officer ("DEO") for Washington Legal Escrow LLC (hereinafter "WLE"), an Escrow Agent licensed by the State of Washington, at 2624 Eastlake Avenue East, Seattle, Washington 98102. Respondent was approved by the Department to act as the DEO for WLE effective April 6, 1999. Respondent was removed from all escrow activities for WLE effective May 24, 2002. Respondent's DEO license expired effective February 18, 2002, and was cancelled effective February 18, 2003.

1.2 Examination:

A. Conduct of Examination: On May 15, 2002, the Department commenced an examination of WLE's trust accounts. The examination revealed a shortage in the Evergreen Bank escrow trust account of \$24,658.86.

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B. Examination Findings: The examination resulted in the following findings:

i. Failure to Complete Monthly Reconciliations: Trust account documents disclosed that Respondent had failed to reconcile the trust account since at least December 2001.

ii. Failure to Properly Disburse Funds: On or about November 30, 1999, in Escrow Account No. 99217, Respondent disbursed an excess amount of \$4,899.13 to a seller. This excess amount was due to the failure of Respondent to properly disburse funds to a Real Estate Agent for its commission. On or about December 3, 1999, when the Real Estate Agent called to find out where its payment was, Respondent discovered this error and drew a Trust Account Check for \$4,899.13, to the Real Estate Agent to cover the commission.

iii. Disbursements for Trust Funds for Personal Use: On or about June 12, 2001, Respondent drew Trust Account Check Number 7870, for \$19,759.73, made out to Washington Mutual Bank. The check showed that it was written in connection with Escrow No. 99217-KAH. Respondent deposited this check in her personal bank account at Washington Mutual Bank. Respondent admitted to the Department's examiner that she used these funds for her personal benefit.

iv. Attempt to Mislead: On November 30, 2001, in order to hide the fact that \$24,658.86 was missing from the Escrow Account 99217, Respondent issued Trust Account Check Number 9734 for \$19,759.73 and Trust Account Check Number 99735 for \$4,899.13. Respondent marked these checks as "Canceled" in the check register, although both checks cleared the bank and were paid on December 10, 2001.

v. Failure to Disclose Information: On May 12, 2002, Respondent told the Department's examiner that the reconciliation for March 2002 had been received, "looked good," and was completed, but the reconciliation for April had not yet been completed. In fact, the Trust Account had not been reconciled since at least November 2001. When confronted with this inconsistency, Respondent failed to disclose the truth to the Department's examiner.

II. GROUNDS FOR ENTRY OF ORDER

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2 **2.1 Knowingly Taking Trust Money for Personal Use:** Based on the Factual Allegations set forth above,
3 Respondent is in apparent violation of RCW 18.44.301(5) by admittedly depositing a check for \$19,759.73 in Trust
4 Account funds to her personal bank account for her personal use.

5 **2.2 Making False Entries:** Based on the Factual Allegations set forth above, Respondent is in apparent violation
6 of RCW 18.44.301(6) by making a false entry in the trust account checking account when she drew a check made out to
7 Washington Mutual Bank purporting to be for Escrow Account #992217, when, in fact, that check bore no connection
8 to that Escrow Account.

9 **2.3 Failure to Keep Adequate Records:** Based on the Factual Allegations set forth above, Respondent is in
10 apparent violation of RCW 18.44.400(1) by failing to keep adequate records of all transactions when she
11 improperly recorded a check written for her personal use as being related to an escrow transaction.

12 **2.4 Demonstration of Incompetence or Untrustworthiness:** Based on the Factual Allegations set forth
13 above, Respondent has demonstrated incompetence or untrustworthiness by her unwillingness and/or inability to
14 reconcile the trust accounts.

15 **2.5 Failure to Keep Accurate Records:** Based on the Factual Allegations set forth above, Respondent is in
16 apparent violation of WAC 208-680D-030 by failing to accurately account for all transactions when she canceled
17 checks that had been issued and wrote a check from the Trust Account as if it pertained to an escrow transaction
18 when it was actually for her own personal use, and by failing to reconcile the escrow trust bank accounts against the
19 client ledgers.

20 **2.6 Failure to Properly Disburse Funds:** Based on the Factual Allegations set forth above, Respondent is in
21 apparent violation of WAC 208-680D-060 by disbursing funds from the trust account in connection with an
22 escrow transaction when there were no instructions that such funds were to be so disbursed.

23 **2.7 Failure to Properly Administer Funds Held in Trust:** Based on the Factual Allegations set forth above,
24 Respondent is in apparent violation of WAC 208-680E-011(8), (9) and (14) by failing to reconcile the trust bank
25 accounts, by failing to sign the reconciliation, and by disbursing funds from the Trust Account for her own personal
use.

1 **2.8 Director's Discretion:** Pursuant to RCW 18.44.410, RCW 18.44.430, and WAC 208-680G-030, the
2 Director has the power and broad administrative discretion to administer and interpret this chapter to facilitate the
3 delivery of services to citizens of this state by escrow agents and others subject to this chapter, including the issuance of
4 rules and regulations, the revocation of licenses, and revocation of authority to act as a designated escrow officer.

5 **2.9 Authority to Revoke License:** Pursuant to RCW 18.44.400(5), the Director may suspend or revoke the
6 license of an escrow officer who violates that section. Also, pursuant to RCW 18.44.430(1), the Director may
7 upon notice to the escrow agent and to the insurer providing coverage under RCW 18.44.201, deny, suspend,
8 decline to renew, or revoke the license of any escrow agent or escrow officer for violating any of the provisions of
9 the Act or any lawful rules made by the Director pursuant to the Act.

10 **2.10 Authority to Impose Fines:** Pursuant to RCW 18.44.430(3) and WAC 208-680G-040(3), the Director may
11 impose fines in addition to or in lieu of revocation.

12 **2.11 Authority to Prohibit from the Industry:** Pursuant to RCW 18.44.430(3) and WAC 208-680G-
13 040(2), the Director may remove and/or prohibit from participation in the conduct of the affairs of a licensed
14 escrow agent, any officer, controlling person, director, employee, or licensed escrow officer in addition to or in
15 lieu of denial.

16 **III. NOTICE OF INTENTION TO ENTER AN ORDER**

17 Kathleen A. Hurley's violations of the provisions of chapter 18.44 RCW as set forth in the above Factual
18 Allegations and Grounds For Entry Of Order constitute a basis for the entry of an Order under RCW 18.44.410, RCW
19 18.44.430, RCW 18.44.301, and WAC 208-680G-030, which authorize the Director to enforce all laws, rules, and
20 regulations related to the registration of escrow agents and licensing of escrow officers. Therefore, it is the Director's
21 intention to ORDER:

22 3.1 That the license of Kathleen Ann Hurley to do business as an escrow officer be revoked; and

23 3.2 That Kathleen Ann Hurley be prohibited from participation in the conduct of the affairs of a licensed
24 escrow agent as an officer, principal, or employee of any licensed escrow agent or any person subject
25 to licensing under this chapter for ten (10) years; and

1 3.3 That Kathleen Ann Hurley shall pay a fine in the amount of \$12,000.00; calculated at \$100.00
2 per day for thirty days:

- 3 • one violation of RCW 18.44.301(6); and
- 4 • one violation of RCW 18.44.400; and
- 5 • two violations of RCW 18.44.430(1).

6 **IV. AUTHORITY AND PROCEDURE**

7 This Statement of Charges and Notice of Intent to Assess Monetary Penalties, Revoke License, and Prohibit
8 from Participation in the Escrow Industry is entered pursuant to the provisions of RCW 18.44.410 and RCW
9 18.44.430, and is subject to the provisions of chapter 34.05 RCW. Kathleen Hurley may make a written request for a
10 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
11 accompanying this Statement of Charges and Notice of Intent to Assess Monetary Penalties, Revoke License, and
12 Prohibit from Participation in the Escrow Industry.

13 DATED this 15th day of August 2003.

14 /S/ _____

15 Chuck Cross, Acting Director and Enforcement Chief
16 Division of Consumer Services
17 Department of Financial Institutions

18 Presented by:

19 /S/ _____

20 Victoria W. Sheldon
21 Financial Legal Examiner

RCW 18.44.301 Prohibited practices.

It is a violation of this chapter for any escrow agent, controlling person, officer, designated escrow officer, independent contractor, employee of an escrow business, or other person subject to this chapter to:

- (1) Directly or indirectly employ any scheme, device, or artifice to defraud or mislead borrowers or lenders or to defraud any person;
- (2) Directly or indirectly engage in any unfair or deceptive practice toward any person;
- (3) Directly or indirectly obtain property by fraud or misrepresentation;
- (4) Knowingly make, publish, or disseminate any false, deceptive, or misleading information in the conduct of the business of escrow, or relative to the business of escrow or relative to any person engaged therein; . . .
- (5) Knowingly receive or take possession for personal use of any property of any escrow business, other than in payment authorized by this chapter, and with intent to defraud, omit to make, or cause or direct to be made, a full and true entry thereof in the books and accounts of the business;
- (6) Make or concur in making any false entry, or omit or concur in omitting to make any material entry, in its books or accounts;
- (7) Knowingly make or publish, or concur in making or publishing any written report, exhibit, or statement of its affairs or pecuniary condition containing any material statement which is false, or omit or concur in omitting any statement required by law to be contained therein;
- (8) Willfully fail to make any proper entry in the books of the escrow business as required by law;
- (9) Fail to disclose in a timely manner to the other officers, directors, controlling persons, designated escrow officer, or other licensed escrow officers the receipt of service of a notice of an application for an injunction or other legal process affecting the property or business of an escrow agent, including in the case of a licensed escrow agent an order to cease and desist or other order of the director; or
- (10) Fail to make any report or statement lawfully required by the director or other public official.

RCW 18.44.400 Records and accounts – Segregation and disbursements of funds – Violation of section, penalties.

(1) Every licensed escrow agent shall keep adequate records, as determined by rule by the director, of all transactions handled by or through the agent including itemization of all receipts and disbursements of each transaction. These records shall be maintained in this state, unless otherwise approved by the director, for a period of six years from completion of the transaction. These records shall be open to inspection by the director or the director's authorized representatives.

(5) Violation of this section shall subject an escrow agent to penalties as prescribed in Title 9A RCW and remedies as provided in chapter 19.86 RCW and shall constitute grounds for suspension or revocation of the license of any licensed escrow agent or licensed escrow officer. In addition, an escrow agent who is required to be licensed under this chapter and who violates this section or an individual who is required to be licensed as an escrow officer under this chapter and who violates this section, may be subject to penalties as prescribed in RCW 18.44.430.

RCW 18.44.410 Powers of director.

(1) The director has the power and broad administrative discretion to administer and interpret this chapter to facilitate the delivery of services to citizens of this state by escrow agents and others subject to this chapter.

(2) The director may issue rules and regulations to govern the activities of licensed escrow agents and escrow officers. The director shall enforce all laws and rules relating to the licensing of escrow agents and escrow officers and fix the time and places for holding examinations of applicants for licenses and prescribe the method of conducting the examinations. The director may hold hearings and suspend or revoke the licenses of violators and may deny, suspend, or revoke the authority of an escrow officer to act as the designated escrow officer of a person who commits violations of this chapter or of the rules under this chapter.

RCW 18.44.420 Investigation of violations – Procedure – Powers of director. The director may:

(1) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule or order under this chapter, or to aid in the enforcement of this chapter or in the prescribing of rules and forms under this chapter; or

(2) Require or permit any person to file a statement in writing, under oath or otherwise as the director determines, as to all facts and circumstances concerning the matter to be investigated.

1 For the purpose of any investigation or proceeding under this chapter, the director or any officer designated by the
2 director may administer oaths or affirmations, and upon his or her own motion or upon request of any party, may
3 subpoena witnesses, compel their attendance, take evidence, and require the production of any matter which is relevant to
4 the investigation, including the existence, description, nature, custody, condition, and location of any books, documents,
5 or other tangible things and the identity and location of persons having knowledge or relevant facts, or any other matter
6 reasonably calculated to lead to the discovery of material evidence.

7 Upon failure to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable
8 notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

9 Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the
10 administrative procedure act, chapter 34.05 RCW.

11 **RCW 18.44.430 Actions against license -- Grounds.**

12 (1) The director may, upon notice to the escrow agent and to the insurer providing coverage under RCW 18.44.201, deny,
13 suspend, decline to renew, or revoke the license of any escrow agent or escrow officer if the director finds that the
14 applicant or any partner, officer, director, controlling person, or employee has committed any of the following acts or
15 engaged in any of the following conduct:

16 (a) Obtaining a license by means of fraud, misrepresentation, concealment, or through the mistake or inadvertence of
17 the director.

18 (b) Violating any of the provisions of this chapter or any lawful rules made by the director pursuant thereto.

19 (c) The commission of a crime against the laws of this or any other state or government, involving moral turpitude or
20 dishonest dealings.

21 (d) Knowingly committing or being a party to, any material fraud, misrepresentation, concealment, conspiracy,
22 collusion, trick, scheme, or device whereby any other person lawfully relying upon the word, representation, or conduct of
23 the licensee or agent or any partner, officer, director, controlling person, or employee acts to his or her injury or damage.

24 (e) Conversion of any money, contract, deed, note, mortgage, or abstract or other evidence of title to his or her own use
25 or to the use of his or her principal or of any other person, when delivered to him or her in trust or on condition, in
violation of the trust or before the happening of the condition; and failure to return any money or contract, deed, note,
mortgage, abstract, or other evidence of title within thirty days after the owner thereof is entitled thereto, and makes
demand therefor, shall be prima facie evidence of such conversion.

(f) Failing, upon demand, to disclose any information within his or her knowledge to, or to produce any document,
book, or record in his or her possession for inspection of, the director or his or her authorized representatives.

(g) Committing any act of fraudulent or dishonest dealing, and a certified copy of the final holding of any court of
competent jurisdiction in such matter shall be conclusive evidence in any hearing under this chapter.

(h) Accepting, taking, or charging any undisclosed commission, rebate, or direct profit on expenditures made for the
principal.

(i) Committing acts or engaging in conduct that demonstrates the applicant or licensee to be incompetent or
untrustworthy, or a source of injury and loss to the public.

(2) Any conduct of an applicant or licensee that constitutes grounds for enforcement action under this chapter is
sufficient regardless of whether the conduct took place within or outside of the state of Washington.

(3) In addition to or in lieu of a license suspension, revocation, or denial, the director may assess a fine of up to one
hundred dollars per day for each day's violation of this chapter or rules adopted under this chapter and may remove
and/or prohibit from participation in the conduct of the affairs of any licensed escrow agent, any officer, controlling
person, director, employee, or licensed escrow officer.

21 **WAC 208-680D-030 Accuracy and accessibility of records.** (1) **Accuracy.** All records shall be accurate, posted and
22 kept current to the date of the most recent transaction.

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24 **WAC 208-680D-060 Disbursement of funds.**

25 The escrow agent shall disburse funds as set forth in the escrow instructions. Disbursement of any money or other items
in violation of the trust or before the happening of the conditions of the escrow agreement or escrow instructions is a
violation of RCW 18.44.430 (1)(e). Funds and other items or documents must be paid and/or disbursed immediately upon
closing of the transaction or as specifically agreed to in writing by all of the principal parties: Provided, That funds are

disbursed in compliance with RCW 18.44.400(3).

1 Upon written notice from any principal party that the ownership of the funds is in dispute or is unclear based on the
2 written agreement of the parties, the escrow agent must hold such funds until receiving written notice from all principal
3 parties that the dispute has been resolved. In lieu of holding such funds the escrow agent may interplead the funds into a
4 court of competent jurisdiction pursuant to chapter 4.08 RCW. Upon notification of a bona fide dispute between the
5 principal parties, the director may, at his/her discretion, order the escrow agent to interplead the funds into a court of
6 competent jurisdiction.

7 At no time may an escrow agent disburse or delay the disbursement of funds without the written consent of all principal
8 parties.

9 **WAC 208-680E-011 Administration of funds held in trust.** The designated escrow officer or branch designated escrow
10 officer on behalf of the escrow agent shall be responsible for all funds received from any principal or any party to an
11 escrow transaction or escrow collection account and shall hold the funds in trust for the purposes of the transaction or
12 agreement and shall not utilize such funds for the benefit of the agent or any person not entitled to such benefit. The
13 escrow agent shall establish a trust bank account(s) in a recognized Washington state depository. The escrow agent is
14 responsible for depositing, holding, disbursing, and accounting for funds in trust as provided herein.

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16 (8) The reconciled trust bank account(s) must equal at all times the outstanding trust liability to clients. The outstanding
17 trust liability to clients must equal the trial balance of all escrows with undisbursed balances.

18 (9) The agent shall be responsible for preparation of a monthly trial balance of the client's ledger, reconciling the ledger
19 with both the trust account bank statement and the trust account receipts and disbursement records. The reconciliation
20 will be signed by the designated escrow officer or branch designated escrow officer. Such reconciliations are to be
21 retained as permanent records.

22
23 (14) No disbursement from the trust bank account shall be made:

24 (a) For items not pertaining to a specific escrow transaction or escrow collection account;
25 (b) In advance of the closing of an escrow transaction, or before the happening of a condition set forth in the
escrow instructions, to any person or for any reason without a written release from all principals of the escrow transaction
or collection account, except that if the earnest money agreement terminates according to its own terms prior to closing,
disbursement of earnest money funds shall be made as provided by the earnest money agreement without a written release
unless the funds are handled as provided in WAC 208-680D-060;

(c) Pertaining to a specific escrow transaction or collection account in excess of the actual amount held in the
trust bank account in connection with such account;

(d) In payment of a fee owed to any employee of an agent or in payment of any business expense of the agent.
Payment of fees to employees of an agent or of any business expense of the agent shall be paid from the regular business
bank account of the agent;

(e) For bank charges of any nature. Arrangements must be made with the bank to have any such charges
applicable to the trust bank accounts charged to the regular business bank account, or to provide a separate statement of
bank charges so that they may be paid from the agents regular business bank account: Provided, That bank charges may
be paid from the interest on accounts allowed under subsection (1)(c) of this section;

(f) For preauthorization of payments by the financial institution for recurring expenses such as mortgage
payments on behalf of the owner if the account contains tenant security deposits or funds belonging to more than one
client;

(g) Of funds received as a damage or security deposit involving a lease or rental contract, to the property owner
or to any person(s) without the written authority of the lessee. Such funds are to be held until the end of the tenancy when
they are to be disbursed to the person(s) entitled to the funds as provided by the terms of the rental or lease agreement and
consistent with the provisions of RCW 59.18.270, Residential Landlord-Tenant Act, or other appropriate statute.

(h) If the financial institution's automated system does not have the ability to charge fees to another account, or
does not provide a separate statement for the service fees as required by (e) of this subsection, and the account is debited
for service fees, the escrow agent shall deposit within one banking day after receipt of notice funds from the general
business or other nontrust account to cover the service fee charged.

WAC 208-680G-030 Enforcement.

The director, or designated person, may conduct the following types of enforcement activity:

- (1) Enter orders, including temporary orders to cease and desist, compelling any person to cease and desist from the unlawful practice, and to take such affirmative action as in the judgment of the director will carry out the purposes of this chapter;
- (2) Enter charges for violations of chapter 18.44 RCW and chapter 208-680 WAC;
- (3) Bring an action, with or without prior administrative proceedings, in the superior court to enjoin the acts or practices and to enforce compliance with chapter 18.44 RCW, or any rule, regulation, or order of the director;
- (4) Appoint a receiver or conservator to take over, operate, or liquidate any escrow office;
- (5) Hold hearings; or
- (6) Make referrals to other regulatory or law enforcement agencies.

WAC 208-680G-040 Sanctions.

The director may impose the following sanctions:

- (1) Denial, suspension, or revocation of license for any violation of RCW 18.44.260;
- (2) Remove or prohibit from participation in the conduct of the affairs of any licensed escrow agent, any officer, controlling person, director, employee, or licensed escrow officer for any violation of RCW 18.44.260;
- (3) Assess a fine of up to one hundred dollars per day for each day's violation of chapter 18.44 RCW, or these rules.

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