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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:

JAMIESON J. BANKS, JR.,

Respondent.

NO. C-03-168-09-FO01

FINAL ORDER

I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of  
Financial Institutions of the State of Washington (Director), through his designee, Consumer Services  
Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On November 21, 2008, the  
Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of  
Charges and Notice of Intention to Enter an Order to Prohibit from Industry (Statement of Charges).  
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 cover letter dated December 1, 2008, a Notice of  
Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing  
for Jamieson J. Banks, Jr. The Department served the Statement of Charges, cover letter dated  
December 1, 2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank  
Application for Adjudicative Hearing for Jamieson J. Banks, Jr., on Respondent on December 1, 2008,  
by First-Class mail and Federal Express overnight delivery. On December 23, 2008, the documents  
sent via Federal Express overnight delivery were returned to the Department as undeliverable. The  
documents sent via First-Class mail, however, were not returned to the Department by the United  
States Post Office as undeliverable, and on January 13, 2009, the Department received confirmation

1 from the Lynnwood, Washington, Branch Office of the United States Post Office that mail addressed  
2 to Respondent was being delivered to the address to which the Statement of Charges, cover letter dated  
3 December 1, 2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank  
4 Application for Adjudicative Hearing for Jamieson J. Banks, Jr., were mailed.

5 Respondent did not request an adjudicative hearing within twenty calendar days after the  
6 Department served him with the Notice of Opportunity to Defend and Opportunity for Hearing, as  
7 provided for in WAC 208-08-050(2).

8  
9 B. Record Presented. The record presented to the Director's designee for her review and  
10 for entry of a final decision included the Statement of Charges, cover letter dated December 1, 2008,  
11 Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative  
12 Hearing for Jamieson J. Banks, Jr., with documentation of service.

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

15 II. FINAL ORDER

16 Based upon the foregoing, and the Director's designee having considered the record and  
17 being otherwise fully advised, NOW, THEREFORE:

18 A. IT IS HEREBY ORDERED, that Respondent Jamieson J. Banks, Jr., is banned from  
19 participation in the conduct of the affairs of any escrow agent subject to licensure by the Director, in any  
20 capacity.  
21

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

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

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


11 D. Judicial Review. Respondent has the right to petition the superior court for judicial  
12 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing  
13 a Petition for Judicial Review, see RCW 34.05.510 and sections following.

14 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for  
15 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
16 attached hereto.  
17

18 DATED this 23rd day of January, 2009.



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21 STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

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DEBORAH BORTNER  
DIRECTOR  
DIVISION OF CONSUMER SERVICES

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3 **STATE OF WASHINGTON**  
4 **DEPARTMENT OF FINANCIAL INSTITUTIONS**  
5 **DIVISION OF CONSUMER SERVICES**

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

JAMIESON J. BANKS, JR.,

Respondent.

NO. C-03-168-08-SC02

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO PROHIBIT  
FROM INDUSTRY

10 **INTRODUCTION**

11 Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions (Director) is  
12 responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (the Act).  
13 After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680G-020, and  
14 based upon the facts available as of the date of this document, the Director, through his designee, Deborah  
15 Bortner, Division Director, Division of Consumer Services, institutes this proceeding and finds as  
16 follows:

17 **I. FACTUAL ALLEGATIONS**

18 **1.1 Respondent. Jamieson J. Banks, Jr., (Respondent Banks)** was an employee of Alta  
19 Escrow, a licensed Escrow Agent, at all times relevant to this Statement of Charges.

20 **1.2 Theft of Money.** On June 12, 2003, Respondent Banks was convicted in the Superior Court of  
21 Washington for King County in cause no. 03-C-06200-2 SEA of one count of Theft in the Second  
22 Degree, stemming from his activities as an employee of Alta Escrow.

23 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the Act  
24 by Respondent Banks continues to date.  
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**II. GROUNDS FOR ENTRY OF ORDER**

**2.1 Prohibited Practices.** Based on the factual allegations set forth in Section I above, Respondent Banks is in apparent violation of RCW 18.44.301(3) for obtaining property by fraud by committing theft of money from Alta Escrow.

**III. AUTHORITY TO IMPOSE SANCTIONS**

**3.1 Authority to Prohibit from the Industry.** Pursuant to RCW 18.44.430, in addition to or in lieu of license denial the Director may remove and/or prohibit from participation in the conduct of the affairs of a licensed escrow agent, any officer, controlling person, director, employee, or licensed escrow officer for any violation of the Act.

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

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

**4.1** That Respondent Jamieson J. Banks., Jr., be prohibited from participating in the affairs of any company licensed by the Department under the Escrow Agent Registration Act (Act) or exempt from licensing under the Act, in any capacity.

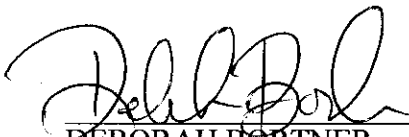
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**V. AUTHORITY AND PROCEDURE**

This Statement of Charges and Notice of Intent to Prohibit from Industry (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. Respondent 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 21<sup>st</sup> day of November, 2008.



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