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

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

Craig R. Warberg,

Respondent.

NO. C-04-103-06-FO01

**FINAL ORDER
CRAIG R. WARBERG**

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 Chuck Cross, pursuant to RCW 34.05.440(1). On February 7, 2005, the Director through his designee Consumer Services Division Director Chuck Cross, entered a Statement of Charges and Notice of Intention to Enter an Order to Prohibit from Industry and Collect Investigation Fee (Statement of Charges). A copy of the Statement of Charges is attached and incorporated into this order by this reference.

On February 9, 2005 the Department served the Statement of Charges, cover letter dated February 7, 2005, Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Craig R. Warberg (Respondent) on Respondent by sending packages containing the documents to Respondent at his residence via Federal Express overnight delivery and by first class mail. On February 11, 2005, the documents sent via Federal Express overnight delivery were delivered. The documents sent via first class mail were not returned to the Department by the United States Post Office.

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

4 B. Record Presented. The record presented to the Director for his review and for entry of
5 a final decision included the following:

- 6 1. Statement of Charges and cover letter dated February 7, 2005; and
- 7 2. Notice of Opportunity to Defend and Opportunity for Hearing; and
- 8 3. Blank Application for Adjudicative Hearing for Craig R. Warberg; and
- 9 4. Documentation of service on February 9, 2005, of the Statement of Charges, Notice of
10 Opportunity to Defend and Opportunity for Hearing, Blank Application for
11 Adjudicative Hearing for Craig R. Warberg, and cover letter dated February 7, 2005;
12 and
- 13 5. Post Office Address Verification Request form completed by Vancouver Branch
14 Office of the United States Post Office received by the Department on December 19,
15 2005.

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

18 II. FINAL ORDER

19 Based upon the foregoing, and the Director having considered the record and being
20 otherwise fully advised, NOW, THEREFORE:

21 A. IT IS HEREBY ORDERED, That:

- 22 1. Respondent Craig R. Warberg be prohibited from participation in the conduct of the
23 affairs of any licensed mortgage broker, in any manner, for a period of ten (10) years;
24 and
- 25 2. Respondent Craig R. Warberg pay an investigation fee in the amount of \$1373.67
calculated at \$47.78 per hour for 28.75 staff hours devoted to the investigation.

1 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
2 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
3 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
4 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
5 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
6 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
7 Reconsideration a prerequisite for seeking judicial review in this matter.
8

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

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

15 D. Judicial Review. Respondent has the right to petition the superior court for judicial
16 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing
17 a Petition for Judicial Review, see RCW 34.050.510 and sections following.

18 E. Non-compliance with Order. If you do not comply with the terms of this order, the
19 Department may seek its enforcement by the Office of Attorney General to include the collection of the
20 fees imposed herein.
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F. Service. For purposes of filing a Petition for Reconsideration or a Petition for
Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
attached hereto.

DATED this 28th day of January, 2006.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

A handwritten signature in black ink, appearing to read "Chuck Cross", is written over a horizontal line.

CHUCK CROSS
DIRECTOR
DIVISION OF CONSUMER SERVICES
DEPARTMENT OF FINANCIAL INSTITUTIONS