

# Terms Completed

## ORDER SUMMARY – Case Number: C-07-091

**Name(s):** Ryan David Bishop

**Order Number:** C-07-091-07-CO01

**Effective Date:** \_\_\_\_\_

**License Number:** DFI: 35769

**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)

**License Effect:** Denial

**Not Apply Until:** December 15, 2009

**Not Eligible Until:** December 15, 2009

**Prohibition/Ban Until:** December 15, 2009

<b>Investigation Costs</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<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:				

**Comments:** \_\_\_\_\_

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

IN THE MATTER OF INVESTIGATING  
the Loan Originator License Application under the  
Mortgage Broker Practices Act of Washington by:

NO. C-07-091-07-CO01

RYAN DAVID BISHOP,  
Respondent.

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Ryan David Bishop (hereinafter Respondent) by and through his attorney John R. Clark, and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 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 Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-07-091-07-SC01 (Statement of Charges), issued April 25, 2007, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices 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.

**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 hearing before an administrative law judge, and will waive his right to a hearing and any and all administrative and

1 judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly, Respondent  
2 agrees to withdraw his appeal and to inform the Office of Administrative Hearings in writing of his withdrawal.

3 **C. Loan Originator License Application Denial.** It is AGREED that Respondent's application for a  
4 loan originator license is denied. It is further AGREED that Respondent shall not apply to the Department for a  
5 mortgage broker license or loan originator license under any name at any time prior to December 15, 2009. It is  
6 further AGREED that, should Respondent apply to the Department for a mortgage broker license or loan  
7 originator license on December 15, 2009 or at any time thereafter, Respondent shall be required to meet any and  
8 all application requirements in effect at the time of such application.

9 **D. Prohibition from Industry.** It is AGREED that Respondent is prohibited from participating in the  
10 conduct of the affairs of any mortgage broker subject to licensure by the Department through December 15, 2009  
11 in any capacity, including but not limited to: (1) any financial capacity whether active or passive or (2) as an  
12 officer, director, principal, designated broker, employee, or loan originator.

13 **E. Authority to Execute Order.** It is AGREED that the undersigned has represented and warranted that  
14 they have the full power and right to execute this Consent Order on behalf of the parties represented.

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


19 **G. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily entered into  
20 this Consent Order, which is effective when signed by the Director's designee.

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

1 **RESPONDENT:**

2   
3 RYAN DAVID BISHOP  
Respondent

10-16-07  
Date


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6 JOHN R. CLARK, WSBA#  
7 Attorney for Respondent


10-16-07  
Date

8 DO NOT WRITE BELOW THIS LINE

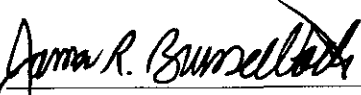
9 THIS ORDER ENTERED THIS 24<sup>th</sup> day of October, 2007.

10 STATE OF WASHINGTON  
11 DEPARTMENT OF FINANCIAL INSTITUTIONS

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13 DEBORAH BORTNER  
14 DIRECTOR  
DIVISION OF CONSUMER SERVICES

15 Presented by:  
16   
17 MARNE SHEERAN  
Financial Legal Examiner



18 Approved by:  
19   
20 JAMES R. BRUSSELBACK  
21 Enforcement Chief

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

IN THE MATTER OF INVESTIGATING  
the Loan Originator License Application under the  
Mortgage Broker Practices Act of Washington by:

RYAN DAVID BISHOP,

Respondent.

NO. C-07-091-07-SC02

**FIRST AMENDED**  
STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
AN ORDER TO DENY LICENSE APPLICATION  
AND PROHIBIT FROM INDUSTRY

**INTRODUCTION**

Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the Mortgage Broker Practices Act (Act)<sup>1</sup>. After having conducted an investigation pursuant to RCW 19.146.310, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondent Ryan David Bishop** (Respondent) submitted an application to the Department of Financial Institutions of the State of Washington, Division of Consumer Services (Department) for a loan originator license under Abacus Mortgage Inc, a mortgage broker licensed under the Act. The on-line application was received by the Department on December 15, 2006.

**1.2 Prior Criminal Acts.** On or about May 21, 2001, Respondent Bishop was convicted under U.S. District Court for Eastern District of Washington Cause No. CR 00-070-WFN of Distribution of a Controlled Substance (methamphetamine) and Distribution of a Controlled Substance (cocaine), felonies, pursuant to 21 U.S.C. Section 841(a)(1).

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<sup>1</sup> RCW 19.146 (2007)

1 **1.3** On or about May 21, 2001, Respondent Bishop was convicted under U.S. District Court for Eastern  
2 District of Washington Cause No. CR 00-119-WFN of Conspiracy to Distribute a Controlled Substance (more  
3 than 500 grams of methamphetamine), a felony, pursuant to 21 U.S.C. Section 846.

4 **1.4** On or about May 21, 2001, Respondent Bishop was convicted under U.S. District Court for Eastern  
5 District of Washington Cause No. CR 00-172-WFN of Conspiracy to Receive and Pass Counterfeit Currency, a  
6 felony, pursuant to 18 U.S.C. 371.

7 **1.5 Responses to Application Questions.** The "Criminal Disclosure" section of the loan originator license  
8 application consists of eight questions, and includes the following instruction:

9 "If the answer to any of the following is "YES", provide complete details of all events or proceedings."

10 Respondent Bishop answered "yes" to the following questions on the "Criminal Disclosure" section of his loan  
11 originator license application:

- 12 • 1-Have you ever been convicted of or plead guilty or nolo contendere(no contest) in a  
13 domestic, foreign or military court to any felony. If Yes, when and where?

14 In the explanation box following question number 1, Respondent wrote "2000, plead guilty to possession in  
15 Spokane."

16 **1.6** Respondent Bishop answered "no" to the following questions on the "Criminal Disclosure" section of  
17 his loan originator license application:

- 18 • 2-Have you ever been charged with any felony?

19 **1.7** Respondent was obligated by statute to answer all questions on the loan originator license application  
20 truthfully and to provide the Department with complete details of all events or proceedings. Respondent failed  
21 to do so.

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

23 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,  
24 Respondent Bishop fails to meet the requirements of RCW 19.146.310(1)(d) and (g) and WAC 208-660-

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1 350(2)(a) and (c) by having been convicted of a felony within seven years of the filing of the present  
2 application.

3 **2.2 Requirement to Demonstrate Character and General Fitness.** Based on the Factual allegations set  
4 forth in Section I above, Respondent Bishop fails to meet the requirements of RCW 19.146.310(1)(g) and WAC  
5 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the confidence of  
6 the community and to warrant a belief that the business will be operated honestly and fairly within the purposes  
7 of the Act.

8 **2.3 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent  
9 Bishop is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making  
10 any false statement or willfully making any omission of material fact in connection with any application or any  
11 information filed by a licensee in connection with any application, examination or investigation conducted by  
12 the Department.

### 13 **III. AUTHORITY TO IMPOSE SANCTIONS**

14 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the  
15 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the  
16 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by  
17 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application  
18 of the denial.

19 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may prohibit a  
20 loan originator from participation in the conduct of the affairs of a licensed mortgage broker for any violation of  
21 RCW 19.146.0201(1) through (9) or for false statements or omission of material information on the application  
22 that, if known, would have allowed for denial of the application for the original license.

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

24 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth  
25 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis

1 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.

2 Therefore, it is the Director's intention to ORDER that:

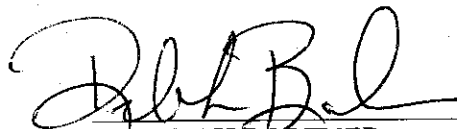
3 **4.1** Respondent Bishop's application for a loan originator license be denied.

4 **4.2** Respondent Bishop be prohibited from participation in the conduct of the affairs of a licensed mortgage  
5 broker, in any manner, through until December 15, 2013.

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7 **V. AUTHORITY AND PROCEDURE**

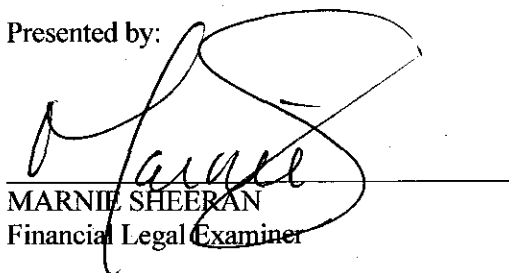
8 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221,  
9 RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The  
10 Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in the  
11 NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this  
12 Statement of Charges.

13 Dated this 13<sup>th</sup> day of August, 2007.


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16 DEBORAH BORTNER  
17 Director  
18 Division of Consumer Services  
19 Department of Financial Institutions

20 Presented by:

21   
MARNIE SHEERAN  
Financial Legal Examiner

22 Approved by:

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25 FATIMA BATIE  
Financial Legal Examiner Supervisor





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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
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IN THE MATTER OF INVESTIGATING  
the Loan Originator License Application under the  
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Respondent.

NO. C-07-091-07-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
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AND PROHIBIT FROM INDUSTRY

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**I. FACTUAL ALLEGATIONS**

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10 Respondent Bishop answered "no" to the following questions on the "Criminal Disclosure" section of his loan  
11 originator license application:

- 12 • 2-Have you ever been charged with any felony?
- 13 • 5-Have you ever been convicted of or plead guilty or nolo contendere ("no contest") in a  
14 domestic, foreign, or military court to misdemeanor involving: financial services or a financial  
15 services-related business or any fraud, false statements or omissions, theft or any wrongful  
16 taking of property, bribery, perjury, forgery, counterfeiting, extortion, or a conspiracy to  
17 commit any of these offenses?

18 Respondent was obligated by statute to answer questions on the loan originator license application truthfully  
19 and to provide the Department with complete details of all events or proceedings.

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

21 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,  
22 Respondent Bishop fails to meet the requirements of RCW 19.146.310(1)(d) and (g) and WAC 208-660-  
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### 16 **IV. NOTICE OF INTENTION TO ENTER ORDER**

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20 Therefore, it is the Director's intention to ORDER that:

21 **4.1** Respondent Bishop's application for a loan originator license be denied.

22 **4.2** Respondent Bishop be prohibited from participation in the conduct of the affairs of a licensed mortgage  
23 broker, in any manner, through until December 15, 2013.

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**V. AUTHORITY AND PROCEDURE**

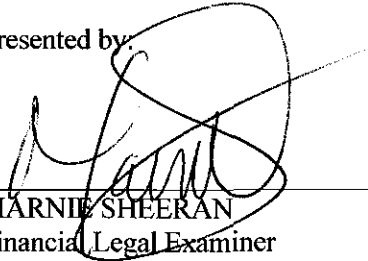
This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

Dated this 25<sup>th</sup> day of April, 2007.



DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions


Presented by:



MARNIE SHEERAN  
Financial Legal Examiner



Approved by:

  
JAMES R. BRUSSELBACK  
Enforcement Chief