

Terms Completed

ORDER SUMMARY – Case Number: C-07-484

Name(s): Michael Alan Honorof

Order Number: C-07-484-13-CO04

Effective Date: July 11, 2013

License Number: NMLS 102397

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)
If applicable, you must specifically note the ending dates of terms.

License Effect: Expired effective December 31, 2008

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$300	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: 06/05/13
Fine	\$750	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: 06/05/13
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments: Final Order C-07-484-10-FO03 is withdrawn

RECEIVED

JUL 08 2013

Enforcement Unit
Division of Consumer Services
Dept. of Financial Institutions

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

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

No.: C-07-484-13-CO04

1st COLUMBIA MORTGAGE CORPORATION,
JOSEPH WILLIAM SEARLES, President, Owner,
and Designated Broker, MICHAEL WILLIAM
GANNON, Loan Originator, MICHAEL ALAN
HONOROF, Loan Originator, and NORMAN
VINCENT KEELE, Loan Originator,

CONSENT ORDER AND ORDER
WITHDRAWING FINAL ORDER AS TO
MICHAEL ALAN HONOROF,
NMLS #102397

Respondent(s).

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Deborah Bortner, Division Director, Division of Consumer Services, and Michael Alan
Honorof (Respondent Honorof), and finding that good cause exists to withdraw Final Order C-07-
484-10-FO03 and resolve the issues raised in the above-captioned matter solely as they relate to
Respondent Honorof, agree to the entry of this Consent Order. This Consent Order is entered
pursuant to chapter 19.146 of the 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 Honorof have agreed upon a basis for resolution of the matters alleged in Statement of
Charges No. C-07-484-09-SC02 (Statement of Charges), entered December 7, 2009, (copy attached
hereto) solely as they relate to Respondent Honorof. 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. The parties intend this Consent Order
to fully resolve the Statement of Charges solely as they relate to Respondent Honorof. Respondent

CONSENT ORDER
C-07-484-13-CO04
Michael Alan Honorof

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
150 Israel Rd SW
PO Box 41200
Olympia, WA 98504-1200
(360) 902-8703

1 Honorof is agreeing not to further contest the Statement of Charges or the results herein in
2 consideration of the terms of this Consent Order.

3 Based upon the foregoing:

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

6 B. **Waiver of Hearing.** It is AGREED that Respondent Honorof has been informed of the
7 right to a hearing before an administrative law judge, and waived his right to a hearing by failing to
8 timely request a hearing.

9 C. **No Admission of Liability.** It is AGREED that Respondent Honorof neither admits nor
10 denies any wrongdoing by entry of this Consent Order.

11 D. **Withdrawal of Final Order.** It is AGREED that Final Order C-07-484-10-FO03 is
12 WITHDRAWN, as are the license revocation and industry prohibition ordered therein.

13 E. **Loan Originator License Status.** It is AGREED that the status of Respondent Honorof's
14 loan originator license is "expired" effective December 31, 2008. Respondent Honorof shall be
15 required to meet all licensing requirements should he seek licensure in the future.

16 F. **Fine.** It is AGREED that Respondent Honorof has paid a fine of \$750 to the Department
17 through the Department's contracted collections agent. Respondent AGREES that any additional
18 amounts paid to the collections agent are not part of this Consent Order.

19 G. **Investigation Fee.** It is AGREED that Respondent Honorof has paid an investigation fee
20 of \$300 to the Department through the Department's contracted collections agent.

21 H. **Voluntarily Entered.** It is AGREED that the undersigned Respondent Honorof has
22 voluntarily entered into this Consent Order, which is effective when signed by the Director's
23 designee.

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

3 **RESPONDENT:**

4 [Redacted]
5 [Redacted]
6 Michael Alan Honorof

7
8
9 7/3/13
Date

10 DO NOT WRITE BELOW THIS LINE

11 THIS ORDER ENTERED THIS 11th DAY OF ~~JUNE~~ ^{JULY}, 2013



12 [Redacted]
13 DEBORAH BORTNER
14 Director
15 Division of Consumer Services
16 Department of Financial Institutions

17 Presented by:

18 [Redacted]
19 Steven C. Sherman
20 Financial Legal Examiner Supervisor

21 Approved by:

22 [Redacted]
23 Charles E. Clark
24 Enforcement Chief



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

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

NO. C-07-484-10-FO03

1st COLUMBIA MORTGAGE CORPORATION,
JOSEPH WILLIAM SEARLES, President, Owner,
and Designated Broker, MICHAEL WILLIAM
GANNON, Loan Originator, MICHAEL ALAN
HONOROF, Loan Originator, and NORMAN
VINCENT KEELE, Loan Originator,

FINAL ORDER

MICHAEL ALLEN HONOROF

Respondents.

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 December 7, 2009, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intention to Enter an Order to Revoke or Suspend License, Prohibit from Industry, Impose Fine, Order Restitution, and Collect Investigation Costs (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 8, 2009, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for all Respondents. The Department served the Statement of Charges, cover letter, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondent Michael Alan Honorof (Respondent) on December 8, 2009, by Federal Express

1 overnight delivery and First-Class mail. On December 14, 2009, the documents sent via Federal
2 Express overnight delivery were delivered. The documents sent via First-Class mail were not returned
3 to the Department by the United States Postal Service.

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

7 B. Record Presented. The record presented to the Director's designee for her review and
8 for entry of a final decision included the following: Statement of Charges, cover letter dated December 8,
9 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
10 Adjudicative Hearing for Respondent, with documentation of service.

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

14 II. FINAL ORDER

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

18 A. IT IS HEREBY ORDERED, That:

- 19 1. Respondent Michael Alan Honorof's license to conduct the business of Loan
20 Originator is revoked; and
- 21 2. Respondent Michael Alan Honorof is banned from participation in the conduct of the
22 affairs of any mortgage broker subject to licensure by the Director, in any manner, for
23 a period of five years; and
- 24 3. Respondent Michael Alan Honorof pay a fine of \$750; and
- 25 4. Respondent Michael Alan Honorof pay an investigation fee of \$300.

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's designee has determined not to consider a Petition
13 to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition
14 for Judicial 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 34.05.510 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 fines and fees imposed herein.

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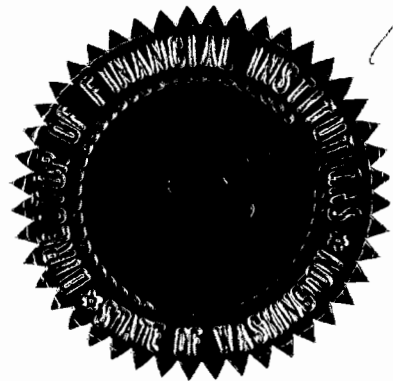
1 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for
2 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
3 attached hereto.

4
5 DATED this 11th day of January, 2010.

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7 STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS



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10 DEBORAH BORTNER
DIRECTOR
DIVISION OF CONSUMER SERVICES



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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
Mortgage Broker Practices Act of Washington by:

NO. C-07-484-09-SC01

MAAG, INC d/b/a MILL CREEK MORTGAGE
and AMY D GANNON, designated broker and
loan originator,

STATEMENT OF CHARGES and NOTICE OF
INTENTION TO REVOKE OR SUSPEND
MORTGAGE BROKER LICENSE and LOAN
ORIGINATOR LICENSE, PROHIBIT FROM
INDUSTRY, IMPOSE FINE, ORDER
RESTITUTION, AND COLLECT INVESTIGATION
FEE

Respondents.

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)¹. After having conducted an investigation pursuant to RCW 19.146.235, 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 Respondents.

A. Maag, Inc d/b/a Mill Creek Mortgage (Respondent Mill Creek) was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on November 14, 2003, and continues to be licensed to date. Respondent Mill Creek is licensed to conduct the business of a mortgage broker at 4623 145th Place SE, Snohomish, WA 98296.

B. Respondent Mill Creek is wholly owned by Amy D. Gannon (Respondent Gannon). Respondent Gannon is also the President and Designated Broker of Respondent Mill Creek.

¹ RCW 19.146 (2007)

1 **1.2 Examination.** In or around November 2008, the Department conducted an examination of the books and
2 records of Respondents for the period of October 31, 2006 through November 30, 2008. Respondents purported
3 that only three loans were originated during this time. The Department reviewed the three loan files provided as
4 part of its examination. The Department found violations of the Act as outlined below.

5 **1.3 Untimely Disclosure of GFE.** In all of the loan files reviewed, Respondents did not maintain records
6 sufficient to establish that Good Faith Estimate (GFE) disclosures or an itemization of all fees and costs were
7 provided to borrowers within three business days of receipt of a loan application, or Respondents did not
8 provide GFE disclosures or an itemization of all fees and costs to borrowers within three business days of
9 receipt of a loan application.

10 **1.4 Failure to Timely Provide Truth in Lending Disclosures.** In all of the loan files reviewed,
11 Respondents did not maintain records sufficient to establish that truth in lending (TIL) disclosures were
12 disclosed to borrowers within three business days of the borrowers' loan application, or Respondents did not
13 provide TIL disclosures to borrowers within three business days of the borrowers' loan application.

14 **1.5 Failure to Timely Provide Rate Lock Disclosure.** In all of the loan files reviewed, Respondents did
15 not maintain records sufficient to establish that accurate or complete rate lock disclosures or agreements were
16 provided to borrowers within three business days of the borrowers' loan application, or Respondents did not
17 provide the rate lock disclosures or agreements to borrowers within three business days of the borrowers' loan
18 application.

19 **1.6 Failure to Provide "If the Borrower is Unable to Obtain a Loan" Disclosure.** In all of the loan
20 files reviewed, Respondents did not maintain records sufficient to establish that "if a borrower is unable to
21 obtain a loan" disclosures were provided to borrowers within three business days of the borrowers' loan
22 application, or Respondents did not provide the disclosures to borrowers within three business days of the
23 borrowers' loan application

24 **1.7 Failure to Timely Provide Servicing Disclosures.** In all of the loan files reviewed, Respondents did
25 not maintain records sufficient to establish that Servicing disclosures were provided to borrowers within three

1 business days of the borrowers' loan application, or Respondents did not provide Servicing disclosures to
2 borrowers within three business days of the borrowers' loan application.

3 **1.8 Failure to Disclose Loan Originator License Number on Loan Applications.** In all of the loan files
4 reviewed, Respondents did not disclose the loan originator's license number on the borrowers' residential
5 mortgage loan applications.

6 **1.9 Failure to Deposit All Monies Received from Borrower into Trust Account.** On two of the three
7 loans reviewed, Respondents did not deposit escrow checks that included the borrowers' third party credit
8 report fees into a trust account. Respondents did not have a trust account. Instead, Respondents deposited these
9 funds into a Respondent Millcreek general account.

10 **1.10 Failure to Provide New GFE When Fees that Inured to Respondents' Benefit Increased.** In at
11 least two of three files reviewed, Respondents did not maintain records sufficient to establish that a new GFE
12 was provided to borrowers at least three business days prior to closing when fees that inured to Respondents'
13 benefit increased from that previously disclosed, or Respondents did not provide a new GFE disclosure at least
14 three business days prior to closing.

15 **1.11 Failure to Identify in the GFE All Fees that Inure to Respondents' Benefit.** In two of the three loan
16 files reviewed, Respondents failed to specifically identify in the GFE that the processing fees or administration fees
17 inured to Respondents' benefit.

18 **1.12 Failure to Provide One-Page Disclosure Summary.** In one of three files reviewed, Respondents did
19 not maintain records sufficient to establish that the Washington State one-page disclosure summary was
20 provided to the borrower within three business days of the borrowers' loan application, or Respondents did not
21 provide the disclosure summary to the borrower within three business days of the borrowers' loan application.

22 **1.13 Unlawful Referral Fees.** On or about December 17, 2006, Respondents were contacted by a borrower
23 requesting a residential mortgage loan. Respondents did not take a loan application from the borrower or
24 provide disclosures to the borrower. On or about December 18, 2006, Respondents issued a Denial of Credit
25

1 Notice to the borrower. Respondents then referred the borrower to another company (Company A)².
2 Respondents provided no additional services related to this borrower's transaction. However, Respondents
3 obtained a "referral fee" of \$15,000 related to the borrower's transaction with the new company. This fee is
4 excessive for the amount of services performed by Respondents. Respondents did not provide Affiliated
5 Business Disclosures to the borrower.

6 **1.14 On-Going Investigation.** The Department's investigation into the alleged violations of the Act by
7 Respondents continues to date.

8 II. GROUNDS FOR ENTRY OF ORDER

9 **2.1 GFE and TIL Disclosures.** Based on the Factual Allegations set forth in Section I above, Respondents
10 are in apparent violation of RCW 19.146.0201(6) and (11)³, RCW 19.146.030(1)(2)(a)(b) and (4)⁴, Regulations
11 X, 24 C.F.R. Section 3500.21(b)(1) (1996), Regulation Z, 12 C.F.R Section 226.18(d)(1) (2001), and
12 Regulation Z, 12 C.F.R. Section 226.5(b) and 226.22(a) (2001) for failure to provide required GFE and TIL
13 disclosures within three business days of receiving a loan application or failure to specify on the GFE which
14 fees inure to the benefit of the mortgage broker or failure to provide a new GFE at least three days prior to
15 closing when fees that inured to the benefit of the mortgage broker increased from that previously disclosed.

16 **2.2 Disclosures Other than GFE and TIL.** Based on the Factual Allegations set forth in Section I above,
17 Respondents are in apparent violation of RCW 19.146.0201(6) and (11), RCW 19.146.030(1)(2)(c)(d) and (3),
18 WAC 208-660-430(3)(c) and (e), and Regulation X, 24 C.F.R. Section 3500.21(b)(1) (1996), for failure to
19 provide rate lock disclosures, or "if borrower is unable to obtain a loan for any reason" disclosure or loan
20 servicing disclosures.

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25 ² Respondent Gannon's husband was Vice President of Company A.

³ Formerly RCW 19.146.0201(10) (1996).

⁴ And any applicable chapter 208-660 WAC.

1 **2.3 Loan Originator License Number Disclosure.** Based on the Factual Allegations set forth in Section I
2 above, Respondents are in apparent violation of WAC 208-660-350(27) and (28)⁵, for failure to disclose the
3 loan originator's license number on residential mortgage loan applications.

4 **2.4 Trust Account Violations.** Based on the Factual Allegations set forth in Section I above, Respondents
5 are in apparent violation of RCW 19.146.050(1) for failing to deposit into a trust account, prior to the end of the
6 third business day following receipt of such funds, all monies received by a mortgage broker from a borrower
7 for payment of third-party provider services.

8 **2.5 One Page Disclosure Summary:** Based on the Factual Allegations set forth in Section I above,
9 Respondents are in apparent violation of RCW 19.144.020(1) for failure to provide one-page disclosure
10 summary within three business days of a loan application.

11 **2.6 Unlawful Referral Fees:** Based on the Factual Allegations set forth in Section 1 above, Respondents
12 are in apparent violation of RCW 19.146.0201(6) and (11) and Regulation X, 24 C.F.R. Section 3500.14 and
13 Section 3500.15(1996)⁶ for receipt of unearned referral fees or failure to provide an Affiliated Business
14 Disclosure.

15 **2.7 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondents are
16 in apparent violation of RCW 19.146.0201(1), (2), (3) and (6) for directly or indirectly employing any scheme,
17 device or artifice to defraud or mislead any borrower or any person or engaging in any unfair or deceptive
18 practice toward any person or directly or indirectly obtaining property by fraud or misrepresentation, or failing
19 to make disclosures to loan applicants and noninstitutional investors as required by RCW 19.146.030 and any
20 other applicable state or federal law.

21 III. AUTHORITY TO IMPOSE SANCTIONS

22 **3.1 Authority to Revoke or Suspend License.** Pursuant to RCW 19.146.220(2)(c),(d), and (e), the
23 Director may revoke or suspend a license for failure to pay a fee required by the director, failure to comply with
24 any directive or order of the Director, or any violation of chapter 19.146 RCW.

25 ⁵ Formerly WAC 208-660-350(26) and (27).

⁶ See also, RESPA, 12 U.S.C 2607(a) and (b) (commonly referred to as Section 8).

1 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 19.146.220(5)(a) and (d), the Director
2 may issue orders removing from office or prohibiting from participation in the conduct of the affairs of a
3 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage
4 broker or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9) or
5 (13), RCW 19.146.030 through RCW 19.146.080, RCW 19.146.200, RCW 19.146.205(4), or RCW 19.146.265,
6 or failure to comply with a directive or order of the Director.

7 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2)(d) and (e) and RCW 19.146.220(3) (a) and
8 (b), the Director may impose fines on a licensee, employee or loan originator of the licensee, or other person
9 subject to the Act for any violations of RCW 19.146.0201(1) through (9) or (13), RCW 19.146.030 through
10 RCW 19.146.080, RCW 19.146.200, RCW 19.146.205(4), RCW 19.146.265, failure to comply with a directive
11 or order of the Director or any violation of chapter 19.146 RCW.

12 **3.4 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2)(d) and (e), the Director may issue
13 orders directing a licensee, its employee or loan originator, or other person subject to the Act to pay restitution.

14 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-550(5),
15 upon completion of any investigation of the books and records of a licensee or other person subject to the Act,
16 the Department will furnish to the licensee or other person subject to the Act a billing to cover the cost of the
17 investigation. The investigation charge will be calculated at the rate of forty-eight dollars (\$48) per hour that
18 each staff person devoted to the investigation.

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

20 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
21 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
22 for the entry of an Order under RCW 19.146.210, RCW 19.146.220, RCW 19.146.221 and RCW 19.146.223.

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

24 **4.1** Respondent Maag, Inc d/b/a Mill Creek Mortgage's license to conduct the business of a
25 mortgage broker be revoked or suspended; and

- 1 **4.2** Respondent Amy Gannon's license to conduct the business of a loan originator and designated broker be revoked or suspended; and
- 2
- 3 **4.3** Respondent Amy Gannon be prohibited from participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, for a period of five (5) years; and
- 4
- 5 **4.4** Respondent Maag, Inc d/b/a Mill Creek Mortgage and Respondent Amy Gannon jointly and severally pay a fine, which as of the date of these charges totals \$15,000; and
- 6
- 7 **4.5** Respondent Maag, Inc d/b/a Mill Creek Mortgage and Respondent Amy Gannon jointly and severally refund all fees that inured to Respondents' benefit to the borrowers listed in paragraphs 1.2 through 1.13; and
- 8
- 9 **4.6** Respondent Maag, Inc d/b/a Mill Creek Mortgage and Respondent Amy Gannon jointly and severally pay an investigation fee in the amount of \$1,872 calculated at \$48 per hour for the thirty-nine (39) staff hours, as of the date of this Statement of Charges, devoted to the investigation; and
- 10
- 11 **4.7** Respondents maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondents' mortgage broker business, and the name, address and telephone number of the individual responsible for maintenance of such records in compliance with the Act.

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1 **V. AUTHORITY AND PROCEDURE**

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

7 Dated this 19th day of October, 2009.

8 [Redacted Signature]

9 DEBORAH BORTNER
10 Director
11 Division of Consumer Services
12 Department of Financial Institutions

13 Presented by:

14 [Redacted Signature]

15 MARNIE SHEERAN
16 Financial Legal Examiner

17 Approved by:

18 [Redacted Signature]

19 JAMES R. BRUSSELBACK
20 Enforcement Chief

