

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

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

NO. C-08-074-08-FO01

JOSHUA ADAM HOSFORD,

Respondent.

FINAL ORDER

7
8 I. DIRECTOR'S CONSIDERATION

9 A. Default. This matter has come before the Director of the Department of
10 Financial Institutions of the State of Washington (Director), through his designee, Consumer Services
11 Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On January 27, 2008, the
12 Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of
13 Charges and Notice of Intention to Enter an Order to Deny License Application (Statement of
14 Charges). A copy of the Statement of Charges is attached and incorporated into this order by this
15 reference. The Statement of Charges was accompanied by a cover letter, a Notice of Opportunity to
16 Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing. The
17 Department served the Statement of Charges, cover letter, Notice of Opportunity to Defend and
18 Opportunity for Hearing, and blank Application for Adjudicative Hearing on Respondent on
19 March 12, 2008, by first class mail and Federal Express overnight delivery. On March 14, 2008, the
20 documents sent via Federal Express overnight delivery were delivered. The documents sent via first
21 class mail were not returned to the Department by the United States Postal Service.

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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's designee for her review and
5 for entry of a final decision included the Statement of Charges, cover letter, Notice of Opportunity to
6 Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing, with
7 documentation of service.

8 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
9 Director's designee hereby adopts the Statement of Charges, which is attached hereto.
10

11 II. FINAL ORDER

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

14 A. IT IS HEREBY ORDERED, That:

15 Respondent Joshua Adam Hosford's application for a loan originator license is denied.

16 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
17 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
18 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
19 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
20 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
21 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
22 Reconsideration a prerequisite for seeking judicial review in this matter.
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1 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date
2 the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written
3 notice specifying the date by which it will act on a petition.

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

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

10 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
11 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
12 attached hereto.
13

14 DATED this 8th day of April, 2008.



15 STATE OF WASHINGTON
16 DEPARTMENT OF FINANCIAL INSTITUTIONS

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18 DEBORAH BORTNER
19 DIRECTOR
20 DIVISION OF CONSUMER SERVICES

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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:

JOSHUA ADAM HOSFORD,

Respondent.

NO. C-08-074-08-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO DENY LICENSE APPLICATION

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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 19.146.310, 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:

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I. FACTUAL ALLEGATIONS

1.1 Joshua Adam Hosford (Respondent Hosford) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license (inactive status) without associating himself with a licensed mortgage broker. The on-line application was received by the Department on or about January 27, 2008.

A. Prior Criminal Acts. On or about February 9, 2006, in the Superior Court of Washington, for Pierce County, Respondent pleaded guilty to and was convicted of Assault in the Third Degree, a felony, pursuant to RCW 9A.36.031(1)(d).

¹ RCW 19.146 (Amended 2006; Effective January 1, 2007)

1 **II. GROUNDS FOR ENTRY OF ORDER**

2 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section
3 I above, Respondent Hosford fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-
4 660-350(2)(c) by having been convicted of a felony within seven years of the filing of the present
5 application.

6 **III. AUTHORITY TO IMPOSE SANCTIONS**

7 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW
8 19.146.220(1), the Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2)
9 and WAC 208-660-350(7), the Director shall not issue a loan originator license if the conditions of
10 RCW 19.146.310(1) have not been met by the applicant, and shall notify the loan originator applicant
11 and any mortgage brokers listed on the application of the denial.
12

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

14 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as
15 set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
16 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW
17 19.146.223 and RCW 19.146.310. Therefore, it is the Director's intention to ORDER that:

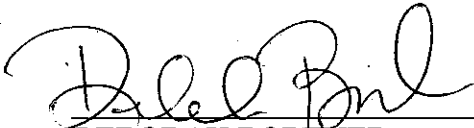
18 **4.1** Respondent Joshua Adam Hosford's application for a loan originator license be denied.
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20 **V. AUTHORITY AND PROCEDURE**


21 This Statement of Charges and Notice of Intention to Enter an Order to Deny License
22 Application (Statement of Charges) is issued pursuant to the provisions of RCW 19.146.220,
23 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter
24 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a Brief
25 Adjudicative Proceeding as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND

1 OPPORTUNITY FOR BRIEF ADJUDICATIVE PROCEEDING accompanying this Statement of
2 Charges.

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4 Dated this 12th day of March 2008.

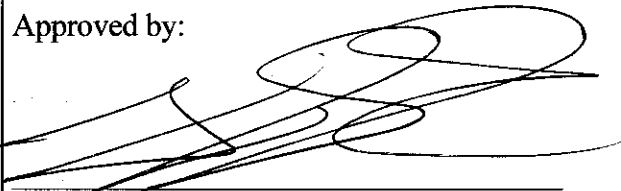
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8 DEBORAH BORTNER
9 Director
10 Division of Consumer Services
11 Department of Financial Institutions

12 Presented by:

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15 WILMA M. NEPSUND
16 Financial Examiner



17 Approved by:

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26 FATIMA BATIE
27 Financial Legal Examiner Supervisor