Terms Completed

ORDER SUMMARY – Case Number: C-08-362

Name(s):	Casey John Ca	umby		
Order Number:	C-08-362-09-F	FO01		
Effective Date:	July 2, 2009			
License Number: Or NMLS Identifier [U/L]	DFI: 38046			
License Effect:	Denied			
Not Apply Until:	n/a			
Not Eligible Until:				
Prohibition/Ban Until:	n/a			
Investigation Costs	\$	Due	Paid	Date
Fine	\$	Due	Paid	Date
Assessment(s)	\$	Due	Paid	Date
Restitution	\$	Due	Paid	Date
Judgment	\$	Due	Paid	Date
Satisfaction of Judgment Filed?		□Y □N	· 	
	No. of Victims:			
		•	•	

Comments:

1 2	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS DIVISION OF CONSUMER SERVICES					
3						
4	IN THE MATTER OF INVESTIGATING NO. C-08-362-09-FO01 the Loan Originator License Application under the NO. C-08-362-09-FO01					
5	Mortgage Broker Practices Act of Washington by:					
6	CASEY JOHN CAMBY, FINAL ORDER Respondent.					
7						
8	I. DIRECTOR'S CONSIDERATION					
. 9	A. <u>Default</u> . 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 April 27, 2009, the Director,					
12	through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and					
13	Notice of Intention to Enter an Order to Deny License Application (Statement of Charges). A copy					
14						
15	of the Statement of Charges is attached and incorporated into this order by this reference. The					
16	Statement of Charges was accompanied by a cover letter dated April 28, 2009, a Notice of Opportunity					
17	to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing. The					
1 8	Department served the Statement of Charges, cover letter dated April 28, 2009, Notice of Opportunity					
19	to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing on					
20	Respondent on April 28, 2009 by First-Class mail and Federal Express overnight delivery. On May					
21	11, 2009, the documents sent via Federal Express overnight delivery were delivered. The documents					
22	sent via First-Class mail were not returned to the Department by the United States Postal Service.					
23						
24						
25	1					

FINAL ORDER – C-08-362-09-FO01 CASEY JOHN CAMBY

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

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

B. <u>Record Presented</u>. The record presented to the Director's designee for her review and for entry of a final decision included the Statement of Charges, cover letter dated April 28, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing, with documentation of service.

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

II. FINAL ORDER

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

A. IT IS HEREBY ORDERED, That:

Respondent John Casey Camby's application for a loan originator license is denied. 16 Pursuant to RCW 34.05.470, Respondent has the right to file a В. Reconsideration. 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 20 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, 21 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The 22 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for 23 Reconsideration a prerequisite for seeking judicial review in this matter. 24

2

FINAL ORDER – C-08-362-09-FO01 CASEY JOHN CAMBY

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

25

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

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

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

 E.
 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.

3

DATED this \mathcal{I} 2009. dav of STATE OF WASHINGTON

STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS

DEBORAH BORTNER DIRECTOR DIVISION OF CONSUMER SERVICES

22

23

24

25

FINAL ORDER -

C-08-362-09-FO01

CASEY JOHN CAMBY

1

1 2 3	DEPARTMENT OF FIN DIVISION OF CO	WASHINGTON IANCIAL INSTITUTIONS NSUMER SERVICES				
4 5	IN THE MATTER OF INVESTIGATING the Loan Originator License Application under the Mortgage Broker Practices Act of Washington by: CASEY JOHN CAMBY,	NO. C-08-362-09-SC01 STATEMENT OF CHARGES and NOTICE OF INTENTION TO ENTER AN ORDER TO DENY LICENSE APPLICATION				
6 7	Respondent.					
8	INTRODUCTION					
9	Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial					
10	Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW,					
10	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					
12						
13	Charges, the Director, through his designee, Division of Consumer Services Director Deborah Bortner,					
14	institutes this proceeding and finds as follows:					
15	I. FACTUAL ALLEGATIONS					
16	1.1Respondent Casey John Camby (Respondent Camby) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Access					
17						
18	Mortgage Company Inc, a mortgage broker licensed under the Act. The loan originator application was					
19	A. Prior Criminal Acts. On or about April 4, 2008, Respondent Camby was charged with					
20						
21	a felony, pursuant to RCW 9A.56.030(1)(a) and RCW 91.46.020(1)(b), in Superior Cou					
22	Washington for King County, Case No. 08-C-02704-6 SEA. On or about July 31, 2008, Respondent Camby					
23	pled to and was found guilty of 1999 , a felony, pursuant to RCW 9A.56.030(1)(a) and RCW 91.46.020(1)(b), in Superior Court of Washington for King County, Case No. 08-C-02704-6 SEA. On or about					
24						
25						
	¹ RCW 19.146 (Amended 2006; Effective January 1, 2007) 1 STATEMENT OF CHARGES C-08-362-09-SC01 CASEY JOHN CAMBY	DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services 150 Israel Rd SW PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703				

Significant Developments. As of the date of this Statement of Charges, Respondent В. 1 2 , regarding Camby has failed to notify the Department of the charge of 3 Case No. 08-C-02704-6 SEA. 4 **II. GROUNDS FOR ENTRY OF ORDER** 5 Requirement of No Prior Convictions. Based on the Factual Allegations set forth in Section I above, 2.1 6 Respondent Camby fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by 7 having been convicted of a gross misdemeanor involving dishonesty or financial misconduct or a felony within 8 seven years of the filing of the present application. 9 Requirement to Notify the Department of Significant Developments. Based on the Factual 2.2 10 Allegations set forth in Section I above, Respondent Camby failed to notify the Department as required 11 regarding Case No. 08-C-02703-6 SEA, within 10 days of charges being filed and also failed to notify the 12 Department within 10 days of the conviction as required, pursuant to WAC 208-660-400(5) and 13 WAC 208-660-400(25). 14 Requirement to Demonstrate Character and General Fitness. Based on the Factual Allegations set 2.3 15 forth in Section I above, Respondent Camby fails to meet the requirements of RCW 19.146.310(1)(g) and 16 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the 17 confidence of the community and to warrant a belief that the business will be operated honestly and fairly 18 within the purposes of the Act. 19 **III. AUTHORITY TO IMPOSE SANCTIONS** 20 Authority to Deny Application for Loan Originator License. Pursuant to RCW 19.146.220(1), the 3.1 21 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the 22 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by 23 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application 24 of the denial. 25 2

STATEMENT OF CHARGES C-08-362-09-SC01 CASEY JOHN CAMBY

1	IV. NOTICE OF INTENTION TO ENTER ORDER			
2	Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth			
3	in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis			
4	for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.			
5	Therefore, it is the Director's intention to ORDER that:			
6	4.1 Respondent Casey John Camby's application for a loan originator license be denied.			
7	V. AUTHORITY AND PROCEDURE			
8	This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application			
9	(Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW			
10	19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative			
11	Procedure Act). Respondent may make a written request for a hearing as set forth in the NOTICE OF			
12	OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of			
13	Charges.			
14	Dated this day of April, 2009.			
15	Dated this A to day of April, 2009.			
16	DEBORAH BORTNER Director			
17	Director Division of Consumer Services Department of Financial Institutions			
18	Presented by:			
19	WILMA M. NEPSUND			
20	Financial Examiner			
21				
22	Approved by:			
23	FATIMA BATIE			
24	Financial Legal Examiner Supervisor			
25				
	3 STATEMENT OF CHARGES C-08-362-09-SC01 CASEY JOHN CAMBY DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services 150 Israel Rd SW PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703			