# Terms Completed

ORDE	ER SUMMAI	RY – Case Numb	er: C-08-398	8		
Name(s):	Gateway Home Mortgage Inc					
	Henry Mick Zorin					
Order Number:	C-08-398-09-	CO01				
Effective Date:	February 23, 2	2009				
License Number:	DFI: 22686 [NMLS: 75371] -Gateway					
	DFI: 21445 [NMLS: 115612 -Zorin					
Or NMLS Identifier [U/L]	(Revoked, suspended, stayed, application denied or withdrawn) If applicable, you must specifically note the ending dates of terms.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:	None					
Not Apply Until:	n/a					
Not Eligible Until:						
Prohibition/Ban Until:	n/a					
	φ151 <b>2</b> 0	D	D 11			
Investigation Costs	\$151.20	Due	Paid $\square Y \square N$	Date		
Fine	\$600	Due	Paid	Date		
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	1					
Assessment(s)	\$	Due	Paid	Date		
		5	<b>D</b> : 1	<b>D</b>		
Restitution	\$	Due	Paid	Date		
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Judgment	\$	Due	Paid	Date		
Judgment	Ψ	Duc	$\square Y \square N$	Duie		
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Satisfaction of Judgment F						
	No. of					
	Victims:					

Comments:

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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:

GATEWAY HOME MORTGAGE, INC., and HENRY MICK ZORIN, Owner and Designated Broker, Respondents. NO. C-08-398-09-CO01

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 Gateway Home Mortgage, Inc.
 (hereinafter Respondent Gateway), and Henry Mick Zorin, Owner and Designated Broker (hereinafter Respondent
 Zorin), 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 Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-08-398-08-SC01 (Statement of Charges), entered December 30, 2008, (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, Respondents hereby agree to the Department's entry of this Consent Order and further agree 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.

Based upon the foregoing:

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

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CONSENT ORDER C-08-398-09-CO01 Gateway Home Mortgage, Inc. and Henry Mick Zorin

1	B. Waiver of Hearing. It is AGREED that Respondents have been informed of the right to a hearing					
2	before an administrative law judge, and that they hereby waive their right to a hearing and any and all					
3	administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.					
4	C. Fine. It is AGREED that Respondents have paid to the Department a fine of \$600.					
5	D. Investigation Fee. It is AGREED that Respondents have paid to the Department an investigation fee					
6	of \$151.20.					
7	E. Authority to Execute Order. It is AGREED that Respondent Zorin has represented and warranted					
8	that he has the full power and right to execute this Consent Order on behalf of the parties represented.					
9	F. Non-Compliance with Order. It is AGREED that Respondents understand that failure to abide					
10	by the terms and conditions of this Consent Order may result in further legal action by the Director. In the					
11	event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in					
12	pursuing such action, including but not limited to, attorney fees.					
13	G. Voluntarily Entered. It is AGREED that the undersigned Respondents have voluntarily entered into					
14	this Consent Order, which is effective when signed by the Director's designee.					
15	H. Completely Read, Understood, and Agreed. It is AGREED that Respondents have read this					
16	Consent Order in its entirety and fully understand and agree to all of the same.					
17	RESPONDENTS:					
18	Gateway Home Mortgage, Inc.					
19	By:					
20	Henry Mick Zorja 1/29/09 Date					
21	Owner and Designated Broker					
22	AS					
23	Henry Mick Zorn Date					
24	Individually					
25	CONSENT ORDER2DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services 150 Israel Rd SW PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703					

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1 DO NOT WRITE BELOW THIS LINE 9. , 20**9**8. 2 THIS ORDER ENTERED THIS A 3 4 DEBORAH BORTNER 5 Director **Division of Consumer Services** 6 Department of Financial Institutions 7 Presented by: 8 9 10 Robert E. Jones Financial Legal Examiner 11 12 Approved by: 13 ma K burnel 14 MES R. BRUSSELBACK Anforcement Chief 15 16 17 18 19 20 21 22 23 24 25 DEPARTMENT OF FINANCIAL INSTITUTIONS 3 CONSENT ORDER Division of Consumer Services C-08-398-09-CO01 150 Israel Rd SW Gateway Home Mortgage, Inc. and Henry Mick PO Box 41200 Zorin Olympia, WA 98504-1200 (360) 902-8703

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2	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS					
3	DIVISION OF CONSUMER SERVICES					
4	IN THE MATTER OF DETERMINING Whether there has been a violation of the					
5	Mortgage Broker Practices Act of Washington by:					
6	GATEWAY HOME MORTGAGE, INC., and HENRY MICK ZORIN, Owner and Designated NOTICE OF INTENTION TO ENTER					
7	Broker, Respondents. NOTICE OF INTENTION TO ENTER AN ORDER TO IMPOSE FINE AND COLLECT INVESTIGATION FEE					
8						
9	INTRODUCTION					
10	Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial					
10						
11	Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the					
12	Mortgage Broker Practices Act (Act) <sup>1</sup> . 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,					
14 15	Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:					
	I. FACTUAL ALLEGATIONS					
16	1.1 Respondents.					
17	A. Gateway Home Mortgage, Inc., (Respondent Gateway) was licensed by the Department of					
18	Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on					
19	January 21, 1998, and continued to be licensed through December 31, 2007, when its license expired <sup>2</sup> .					
20	Respondent Gateway renewed its license on January 9, 2008. Respondent Gateway was not licensed from					
21	January 1, 2008, through January 8, 2008.					
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23						
24						
25	<sup>1</sup> RCW 19.146 (2006) <sup>2</sup> RCW 19.146.210(4).					
	1       1         STATEMENT OF CHARGES       DEPARTMENT OF FINANCIAL INSTITUTIONS         C-08-398-08-SC01       Division of Consumer Services         Gateway Home Mortgage, Inc. and Henry Mick Zorin       150 Israel Rd SW         PO Box 41200       Olympia, WA 98504-1200         (20, 002, 9702)       (20, 002, 9702)					
-	(360) 902-8703					

B. Henry Mick Zorin (Respondent Zorin) is the Principal Owner and Designated Broker of
 Respondent Gateway Home Mortgage, Inc. Respondent Zorin was issued a Loan Originator license on January
 1, 2007, and continues to be licensed to date.

4 1.2 Untimely Renewal of Mortgage Broker License. In order to continue conducting business in 2008,
5 the Respondents were required to renew their mortgage broker license before January 1, 2008. The
6 Respondents did not renew their mortgage broker license timely and as a result could not conduct the business
7 of a mortgage broker until their license was renewed on January 9, 2008.

8 **1.3** Unlicensed Activity. Between at least January 1, 2008, and January 8, 2008, Respondents performed
9 activity that would require licensure as a mortgage broker under the Act.

10 1.4 On-Going Investigation. The Department's investigation into the alleged violations of the Act by
 11 Respondents continues to date.

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

13 2.1 Definition of Mortgage Broker. Pursuant to RCW 19.146.010(12) and WAC 208-660-006,
14 "Mortgage Broker" means any person who, for compensation or gain, or in the expectation of compensation or
15 gain (a) makes a residential mortgage loan or assists a person in obtaining or applying to obtain a residential
16 mortgage loan or (b) holds himself or herself out as being able to make a residential mortgage loan or assist a
17 person in obtaining or applying to obtain a residential mortgage loan.

**2.2 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents are in
apparent violation of RCW 19.146.0201(1), (2), and (3) for directly or indirectly employing a scheme, device or
artifice to defraud or mislead borrowers or lenders or any person, for engaging in an unfair or deceptive practice
toward any person, and for obtaining property by fraud or misrepresentation.

22 2.3 Requirement to Obtain and Maintain License. Based on the Factual Allegations set forth in Section
23 I above, Respondents are in apparent violation of RCW 19.146.200 for engaging in the business of a mortgage
24 broker without first obtaining and maintaining a license under the Act.

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1	2.4 Requirement to Timely Renew License and Refrain from Conducting Business. Based on the
2	Factual Allegations set forth in Section I above, Respondents are in apparent violation of WAC 208-660-
3	163(16), (17), and (18) for continuing to conduct the business of a mortgage broker after failing to timely renew
4	a license under the Act.
5	III. AUTHORITY TO IMPOSE SANCTIONS
6	3.1 Authority to Impose Fine. Pursuant to RCW 19.146.220(2)(e), and (3)(a), the Director may impose
7	fines on a licensee, employee or loan originator of the licensee, or other person subject to the Act for any
8	violations of RCW 19.146.0201(1) through (9) or (13), RCW 19.146.030 through RCW 19.146.080, RCW
9	19.146.200, RCW 19.146.205(4), or RCW 19.146.265, or any violation of the Act.
10	3.2 Authority to Collect Investigation Fee. Pursuant to RCW 19.146.228(2), WAC 208-660-520, and WAC
11	208-660-550(5), upon completion of any investigation of the books and records of a licensee or other person subject
12	to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover the cost of
13	the investigation. The investigation charge will be calculated at the rate of \$48 per hour that each staff person
14	devoted to the investigation.
15	IV. NOTICE OF INTENTION TO ENTER ORDER
16	Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
17	in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
18	for the entry of an Order under RCW 19.146.220, RCW 19.146.221 and RCW 19.146.223. Therefore, it is the
19	Director's intention to ORDER that:
20	4.1 Respondents Gateway Home Mortgage, Inc. and Henry Mick Zorin jointly and severally pay a fine of \$600; and
21 22	4.2 Respondents Gateway Home Mortgage, Inc. and Henry Mick Zorin jointly and severally pay an investigation fee, which as of the date of these charges is \$151.20 calculated at \$48 per hour for 3.15 staff hours devoted to the investigation.
23	V. AUTHORITY AND PROCEDURE
24	This Statement of Charges and Notice of Intention to Enter an Order to Impose Fine and Collect Investigation
25	Fee (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW
	3       3         STATEMENT OF CHARGES       DEPARTMENT OF FINANCIAL INSTITUTIONS         C-08-398-08-SC01       Division of Consumer Services         Gateway Home Mortgage, Inc. and Henry Mick Zorin       150 Israel Rd SW         PO Box 41200       Olympia, WA 98504-1200         (360) 902-8703       (360) 902-8703

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19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative
 Procedure Act). Respondents 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.

5 \_, 2008 Dated this 6 7 8 9 10

H BORTNER DEBOR

Director Division of Consumer Services Department of Financial Institutions

Presented by:

**ROBERT E. JONES** 

Financial Legal Examiner

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Approved by:

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JAMES R. BRUSSELE

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> STATEMENT OF CHARGES C-08-398-08-SC01 Gateway Home Mortgage, Inc. and Henry Mick Zorin

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