

# Terms Completed

## ORDER SUMMARY – Case Number: C-09-147

**Name(s):** Approved Escrow Inc.  
Todd Charles Kennedy  
Debbie Darlene Parker

**Order Number:** C-09-147-10-CO01

**Effective Date:** August 19, 2010

**License Number:** DFI: 18461 DFI: 51063  
**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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:** n/a

**Not Apply Until:** n/a

**Not Eligible Until:** n/a

**Prohibition/Ban Until:** n/a

<b>Investigation Costs</b>	\$1,875	Due 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Aug 19/10
<b>Fine</b>	\$7,500	Due 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Aug 19/10
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$1,500	Due 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date Aug 19/10
<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 DETERMINING  
Whether there has been a violation of the  
Escrow Agent Registration Act of Washington by:

NO. C-09-147-10-CO01

APPROVED ESCROW INC, TODD CHARLES  
KENNEDY, 100% Owner and President, and  
DEBBIE DARLENE PARKER, Designated  
Escrow Officer,

CONSENT ORDER

Respondents

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Approved Escrow Inc (hereinafter Respondent Approved Escrow), Todd Charles Kennedy, Owner and President, (hereinafter Respondent Kennedy), and Debbie Darlene Parker, Designated Escrow Officer (hereinafter Respondent Parker), by and through their attorney, Todd J. Tuell, and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 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-09-147-10-SC01 (Statement of Charges), entered February 3, 2010, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration 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 and agree that Respondents do not admit any

CONSENT ORDER  
C-09-147-10-CO01  
APPROVED ESCROW INC, TODD CHARLES  
KENNEDY, and DARLENE DEBBIE PARKER

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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 wrongdoing by its entry. Respondents are agreeing not to contest the Statement of Charges in consideration of the  
2 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 of the  
5 activities discussed herein.

6 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a hearing  
7 before an administrative law judge, and that they hereby waived their right to a hearing and any and all  
8 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.  
9 Accordingly, Respondents agree to withdraw their appeal and to inform the Office of Administrative Hearings in  
10 writing of their withdrawal.

11 C. **No Admission of Liability.** The parties intend this Consent Order to fully resolve the Statement of  
12 Charges and agree that Respondents do not admit to any wrongdoing by its entry.

13 D. **Agreements.** It is AGREED that Respondents understand the necessity to obtain and maintain a  
14 license and to properly disburse monies according to a transaction's escrow instructions.

15 E. **Fine.** It is AGREED that Respondents shall pay to the Department a fine of \$7,500, in the form of a  
16 cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent Order.

17 F. **Restitution.** It is AGREED that Respondents shall refund \$1,500 to the seller referenced in  
18 paragraph D above, upon entry of this Consent Order.

19 G. **Investigation Fee.** It is AGREED that Respondents shall pay to the Department an investigation fee  
20 of \$1,875, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of this  
21 Consent Order. The fine and investigation fee may be paid in one cashier's check..

22 H. **Authority to Execute Order.** It is AGREED that the undersigned Respondents have represented and  
23 warranted that they have the full power and right to execute this Consent Order on behalf of the parties  
24 represented.

1 I. **Non-Compliance with Order.** It is AGREED that Respondents understand that failure to abide  
2 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the  
3 event of such legal action, Respondents may be responsible to reimburse the Director for the cost incurred in  
4 pursuing such action, including but not limited to, attorney fees.

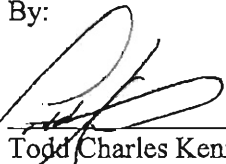
5 J. **Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into  
6 this Consent Order, which is effective when signed by the Director's designee.

7 K. **Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read this  
8 Consent Order in its entirety and fully understand and agree to all of the same.

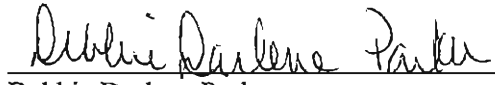
9 **RESPONDENTS:**

10 **Approved Escrow Inc**


11 By:

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13 \_\_\_\_\_  
Todd Charles Kennedy  
Owner, President, and Individually

8/10/2010  
Date

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15 \_\_\_\_\_  
Debbie Darlene Parker  
DEO, and Individually

8/10/2010  
Date

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Todd J. Tuell WSBA No. 19176  
18 Attorney at Law  
Attorney for Respondents

8/10/10  
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 19<sup>th</sup> DAY OF August, 2010.




  
DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

  
MARNE SHEERAN  
Financial Legal Examiner

Approved by:

  
JAMES R. BRUSSELBACK  
Enforcement Chief

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

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Escrow Agent Registration Act of  
Washington by:

APPROVED ESCROW INC, TODD  
CHARLES KENNEDY, 100% Owner and  
President, and DEBBIE DARLENE  
PARKER, Designated Escrow Officer,

Respondents.

NO. C-09-147-10-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO REVOKE OR  
SUSPEND ESCROW AGENT AND  
DESIGNATED ESCROW OFFICER  
LICENSE, PROHIBIT FROM INDUSTRY,  
IMPOSE FINE, AND COLLECT  
INVESTIGATION FEE

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**INTRODUCTION**

Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions (Director) is responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (the Act). After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680G-020, 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. Approved Escrow Inc (Respondent Approved Escrow)** was licensed by the Department to conduct the business of an escrow agent on March 8, 2009, and continues to be licensed to date. Respondent Approved Escrow was licensed to conduct business from one location: 16204 Pacific Ave, Suite 4, Spanaway, Washington, 98387.



1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Revoke or Suspend License.** Pursuant to RCW 18.44.430(1)(b), the Director  
3 may revoke the license of any escrow officer for violating any of the provisions of the Act or any  
4 lawful rules made by the Director pursuant to the Act.

5 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 18.44.430(3), in addition to or in  
6 lieu of suspension, revocation, or license denial the Director may remove and/or prohibit from  
7 participation in the conduct of the affairs of a licensed escrow agent, any officer, controlling person,  
8 director, employee, or licensed escrow officer.

9 **3.3 Authority to Impose Fine.** Pursuant to RCW 18.44.430(3) and WAC 208-680G-040(3), in  
10 addition to or in lieu of suspension, revocation, or license denial the Director may impose a fine of up to  
11 \$100 per day for each day's violation of the Act or rules adopted thereunder.  
12

13 **3.4 Authority to Collect Investigation Fees.** Pursuant to RCW 18.44.410 and WAC 208-680G-  
14 050, the expense of an investigation pursuant to WAC 208-680G-020 shall be borne by the entity which  
15 is the subject of the investigation.

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

17 Respondents' violations of the provisions of chapter 18.44 RCW as set forth in the above Factual  
18 Allegations, Grounds For Entry Of Order, and Authority to Impose Sanctions constitute a basis for the  
19 entry of an Order under RCW 18.44.410, RCW 18.44.430, RCW 18.44.301, and WAC 208-680G-030,  
20 which authorize the Director to enforce all laws, rules, and regulations related to the registration of  
21 escrow agents and licensing of escrow officers. Therefore, it is the Director's intention to ORDER that:  
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23 **4.1** Respondent Approved Escrow Inc's license to conduct the business of an escrow agent be  
revoked or suspended;

24 **4.2** Respondent Debbie Darlene Parker's designated escrow officer license be revoked or suspended;  
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1 **4.2** Respondents Approved Escrow Inc, Todd Charles Kennedy, and Debbie Darlene Parker be  
2 prohibited from participating in the conduct of the affairs of any licensed escrow agent, as officer,  
3 controlling person, director, employee, licensed escrow officer, or designated escrow officer for five  
4 years;

5 **4.3** Respondents Approved Escrow Inc, Todd Charles Kennedy, and Debbie Darlene Parker, jointly  
6 and severally pay a fine which as of the date of these charges totals \$40,000;

7 **4.4** Respondents Approved Escrow Inc, Todd Charles Kennedy, and Debbie Darlene Parker jointly  
8 and severally pay an investigation fee which as of the date of these charges totals \$1,875, calculated at  
9 \$62.50 per hour for 30 staff hours devoted to the investigation; and

10 **4.5** Respondents Approved Escrow Inc, Todd Charles Kennedy, and Debbie Darlene Parker maintain  
11 all records involving Washington escrow transactions for a minimum of six years following the closing or  
12 termination of the escrow transaction.

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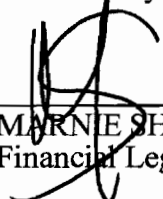
1 V. AUTHORITY AND PROCEDURE

2 This Statement of Charges and Notice of Intent to Revoke or Suspend Escrow Agent and  
3 Designated Escrow Officer License, Prohibit from Industry, Impose Fine, and Collect Investigation  
4 Fee (Statement of Charges) is entered pursuant to the provisions of RCW 18.44.410 and RCW  
5 18.44.430, and is subject to the provisions of chapter 34.05 RCW. Respondents may make a written  
6 request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND  
7 OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

8  
9 DATED this 3<sup>rd</sup> day of February, 2010.

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11   
12 DEBORAH BORTNER  
13 Director  
14 Division of Consumer Services  
15 Department of Financial Institutions

16 Presented by:

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18 MARNIE SHEERAN  
19 Financial Legal Examiner



20 Approved by:

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22 JAMES R. BRUSSELBACK  
23 Enforcement Chief