

Terms Completed

ORDER SUMMARY – Case Number: C-09-235

Name(s): Blue Square Mortgage LLC

Order Number: C-09-235-09-CO01

Effective Date: January 7, 2010

License Number: DFI: 23962 [NMLS: 111438]
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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

Investigation Costs	\$96	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Jan 7/10
Fine	\$3,000	Due: 0	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: Jan 7/10
Examination Fee	\$	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:

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

RECEIVED

JAN 07 2010

ENFORCEMENT UNIT
DIVISION OF CONSUMER SERVICES
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-09-235-09-CO01

BLUE SQUARE MORTGAGE LLC,
Respondent.

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 Blue Square Mortgage LLC (hereinafter Respondent) 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 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 Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-09-250-09-SC01 (Statement of Charges), entered September 9, 2009, (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, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees 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.

CONSENT ORDER
C-09-235-09-CO01
Blue Square Mortgage LLC

1 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a hearing
2 before an administrative law judge, and that Respondent hereby waives its 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 Respondent has paid to the Department a fine of \$3,000, in the form of a
5 cashier's check made payable to the "Washington State Treasurer," with said fine being received by the
6 Department on December 23, 2009.

7 **D. Investigation Fee.** It is AGREED that Respondent has paid to the Department an investigation fee of
8 \$96 in the form of a cashier's check made payable to the "Washington State Treasurer," with said investigation fee
9 being received by the Department on December 23, 2009.

10 **E. Authority to Execute Order.** It is AGREED that the undersigned Respondent has represented and
11 warranted that he has the full power and right to execute this Consent Order on behalf of the parties represented.

12 **F. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily entered into
13 this Consent Order, which is effective when signed by the Director's designee.

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

16 **RESPONDENT:**

17 **Blue Square Mortgage LLC**

18 By 

19
20 George Mike Peacore
21 President/Owner/Designated Broker

1-5-2010
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 7th DAY OF January 2010.



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DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

A handwritten signature in cursive script, appearing to read "Fatima Batie", written over a horizontal line.

FATIMA BATIE
Financial Legal Examiner Supervisor

Approved by:

A handwritten signature in cursive script, appearing to read "James R. Brunelback", written over a horizontal line.

JAMES R. BRUSSELBACK
Enforcement Chief

CONSENT ORDER
C-09-235-09-C001
Blue Square Mortgage LLC

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NO. C-09-235-09-SC01

**STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO IMPOSE FINE AND COLLECT
INVESTIGATION FEE**

Respondent.

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). After having conducted an investigation pursuant to RCW 19.146.235, and based upon the facts available as 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 Respondent Blue Square Mortgage LLC (Respondent) was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker at all times relevant to the conduct alleged.

1.2 Failure to File Mortgage Broker Annual Report. By March 31, 2009, Respondent was required to file an annual report of mortgage broker activity to include the total number of closed loans originated and the total volume of closed loans originated. As of the date of this Statement of Charges Respondent has not filed the 2008 mortgage broker annual report.

1.3 On-Going Investigation. The Department's investigation into the alleged violations of the Act by Respondent continues to date.

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II. GROUNDS FOR ENTRY OF ORDER

2.1 Requirement to File Mortgage Broker Annual Report. Based on the Factual Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.290(1) and WAC 208-660-400(1), (2), (3), and (4) for failing to file the mortgage broker annual report.

III. AUTHORITY TO IMPOSE SANCTIONS

3.1 Authority to Impose Fine. Pursuant to RCW 19.146.220(2)(e) the Director may impose fines on a licensee or other person subject to the Act for any violations of the Act.

3.2 Authority to Collect Investigation Fee. Pursuant to RCW 19.146.228(2), WAC 208-660-520, and WAC 208-660-550(4), upon completion of any investigation of the books and records of a licensee or other person subject to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover the cost of the investigation. The investigation charge will be calculated at the rate of \$48 per hour that each staff person devoted to the investigation.

IV. NOTICE OF INTENTION TO ENTER ORDER

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

4.1 Respondent Blue Square Mortgage LLC pay a fine of \$3,000; and

4.2 Respondent Blue Square Mortgage LLC pay an investigation fee, which as of the date of these charges is \$96 calculated at \$48 per hour for two staff hours devoted to the investigation; and

4.3 Respondent Blue Square Mortgage LLC file the 2008 annual report of mortgage broker activity.

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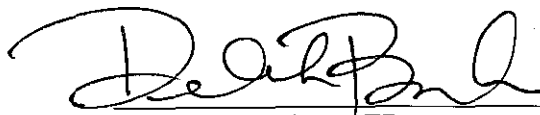
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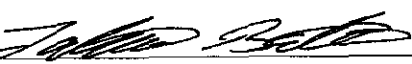
V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Impose Fine and Collect Investigation Fee (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a Brief Adjudicative Proceeding as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR BRIEF ADJUDICATIVE PROCEEDING accompanying this Statement of Charges.

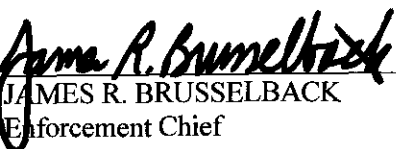
Dated this 9th day of September, 2009.


DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:


FATIMA BATIE
Financial Legal Examiner Supervisor

Approved by:


JAMES R. BRUSSELBACK
Enforcement Chief



Department of Financial Institutions
Division of Consumer Services
Attn: Fatima Batie
PO Box 41200
Olympia, Washington 98504-1200

Deborah Barber