

**ORDER SUMMARY – Case Number: C-09-336**

**Name(s):** Western World Financial

**Order Number:** C-09-336-09-FO01

**Effective Date:** January 4, 2010

**License Number:** DFI: 25365 & 48083

**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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

<b>Investigation Costs</b>	\$96	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Fine</b>	\$3,000	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Judgment</b>	\$3,666	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
No. of Victims:				

**Comments:** Do NOT re-license as long as funds are owed to the Department.



STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

WESTERN WORLD FINANCIAL,

Respondent.

NO. C-09-336-09-FO01

FINAL ORDER

I. DIRECTOR'S CONSIDERATION

A. Procedural History. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through his designee, Consumer Services Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On September 15, 2009, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intention to Enter an Order to Impose Fine and Collect Investigation Fee (Statement of Charges). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated September 15, 2009, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Western World Financial. The Department served the Statement of Charges, cover letter dated September 15, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Western World Financial on Respondent on September 15, 2009, by First-Class mail and Federal Express overnight delivery. On September 23, 2009, the documents sent via Federal Express overnight delivery were returned to the Department as undeliverable. The documents sent via First-Class mail were not returned to the Department by the United States Postal Service.

1 The Department reserved the Statement of Charges, cover letter dated October 5, 2009, Notice  
2 of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative  
3 Hearing for Western World Financial on Respondent on October 5, 2009, by First-Class mail and  
4 Federal Express overnight delivery. On October 7, 2009, the documents sent via Federal Express  
5 overnight delivery were delivered. The documents sent via First-Class mail were not returned to the  
6 Department by the United States Postal Service.

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

11 B. Record Presented. The record presented to the Director's designee for her review  
12 and for entry of a final decision included the following: Statement of Charges, cover letter dated  
13 October 5, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application  
14 for Adjudicative Hearing for Western World Financial with documentation of service.

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

## 17 II. FINAL ORDER

18 Based upon the foregoing, and the Director's designee having considered the record and  
19 being otherwise fully advised, NOW, THEREFORE:  
20

21 A. IT IS HEREBY ORDERED, That:

- 22 1. Respondent Western World Financial pay a fine of \$3,000; and
- 23 2. Respondent Western World Financial pay an investigation fee of \$96; and
- 24 3. Respondent Western World Financial file the 2008 annual report of mortgage broker  
25 activity.

1           B.     Reconsideration.       Pursuant to RCW 34.05.470, Respondent has the right to file a  
2     Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
3     must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150  
4     Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
5     Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
6     Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
7     Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

18          E.     Non-compliance with Order. If you do not comply with the terms of this order, the  
19    Department may seek its enforcement by the Office of Attorney General to include the collection of the  
20    fines and fees imposed herein.

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22          F.     Service.       For purposes of filing a Petition for Reconsideration or a Petition for  
23    Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
24    attached hereto.

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DATED this 4<sup>th</sup> day of January, 2010.



STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

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

DEBORAH BORTNER  
DIRECTOR  
DIVISION OF CONSUMER SERVICES

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

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

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

5 **III. AUTHORITY TO IMPOSE SANCTIONS**

6 **3.1 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2)(e) the Director may impose fines on a  
7 licensee or other person subject to the Act for any violations of the Act.

8 **3.2 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-520, and WAC  
9 208-660-550(4), upon completion of any investigation of the books and records of a licensee or other person subject  
10 to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover the cost of  
11 the investigation. The investigation charge will be calculated at the rate of \$48 per hour that each staff person  
12 devoted to the investigation.

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 set forth  
15 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis  
16 for the entry of an Order under RCW 19.146.220, RCW 19.146.221 and RCW 19.146.223. Therefore, it is the  
17 Director's intention to ORDER that:

18 **4.1** Respondent Western World Financial pay a fine of \$3,000; and

19 **4.2** Respondent Western World Financial pay an investigation fee, which as of the date of these  
20 charges is \$96 calculated at \$48 per hour for two staff hours devoted to the investigation; and

21 **4.3** Respondent Western World Financial file the 2008 annual report of mortgage broker activity.

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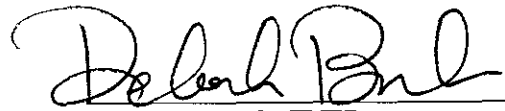
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1 **V. AUTHORITY AND PROCEDURE**

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

8 Dated this 15<sup>th</sup> day of September, 2009.

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

15 Presented by:

16 

17 FATIMA BATIE  
18 Financial Legal Examiner Supervisor

19 Approved by:

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21 JAMES R. BRUSSELBACK  
22 Enforcement Chief







YOU ARE FURTHER NOTIFIED that if the Department of Financial Institutions does not RECEIVE the Request for Brief Adjudicative Proceeding form within twenty (20) days from the date you received this notice, this will constitute a waiver of your right to a Brief Adjudicative Proceeding and the Director will find that you do not contest the allegations of the Statement of Charges. Upon such a finding by the Director a final order will be immediately entered disposing of this matter as described in the Statement of Charges. If you desire a Brief Adjudicative Proceeding in this matter, please return the attached Request for Brief Adjudicative Proceeding to:

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

Dated this 15<sup>th</sup> day of September 2009.

Deborah Barber

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

