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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
Mortgage Broker Practices Act of Washington by:

INTELLICHOICE MORTGAGE SERVICES LLC,
DIETER GABLE, Member, and SHANNON BARD,
Member,

Respondents.

NO. C-10-095-10-FO01

FINAL ORDER

**INTELLICHOICE MORTGAGE
SERVICES LLC AND DIETER GABLE**

I. DIRECTOR'S CONSIDERATION

A. Default. 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 May 17, 2010, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Prohibit from Industry, Impose Fine, Order Restitution, 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 May 18, 2010, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for all Respondents. The Department served the Statement of Charges, cover letter, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing on Respondents Intellicochoice Mortgage Services LLC and Dieter Gable, on May 18, 2010 by United States Postal Service First-Class mail (First-Class mail) and Federal Express overnight delivery. On May 20, 2010, the documents sent via Federal Express overnight delivery were delivered. The documents sent via First-Class mail were not returned to the Department by the United States Postal Service.

1 Respondents Intellichoice Mortgage Services LLC and Dieter Gable did not request an
2 adjudicative hearing within twenty calendar days after the Department served them with the Notice of
3 Opportunity to Defend and Opportunity for Hearing, as provided for in WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for her review and
5 for entry of a final decision included the Statement of Charges, cover letter dated May 18, 2010, Notice of
6 Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for
7 Intellichoice Mortgage Services LLC and Dieter Gable, with documentation of service.

8 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
9 Director's designee hereby adopts the Statement of Charges, which is attached hereto.
10

11 II. FINAL ORDER

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

14 A. IT IS HEREBY ORDERED, That:

- 15 1. Respondents Intellichoice Mortgage Services LLC and Dieter Gable cease and desist
16 offering loan modification services or otherwise conducting the business of a
17 mortgage broker or loan originator in the state of Washington; and
- 18 2. Respondents Intellichoice Mortgage Services LLC and Dieter Gable are prohibited
19 from participation in the conduct of the affairs of any mortgage broker subject to
20 licensure by the Director, in any manner, for a period of five (5) years; and
- 21 3. Respondents Intellichoice Mortgage Services LLC and Dieter Gable jointly and
22 severally pay a fine of \$4,000; and
- 23 4. Respondents Intellichoice Mortgage Services LLC and Dieter Gable jointly and
24 severally pay an investigation fee of \$648; and
- 25 5. Respondents Intellichoice Mortgage Services LLC and Dieter Gable maintain records
in compliance with the Act and provide the Department with the location of the
books, records and other information relating to Respondent Intellichoice Mortgage
Services LLC's business, and the name, address and telephone number of the
individual responsible for maintenance of such records in compliance with the Act..

1 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have 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 Respondents. 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.
8

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

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

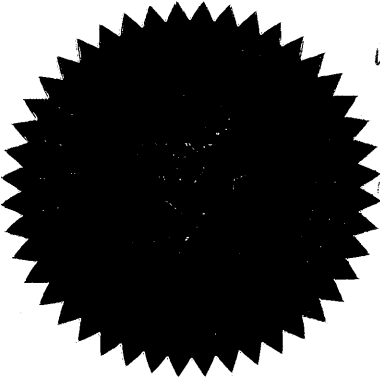
16 D. Judicial Review. Respondents have the right to petition the superior court for
17 judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements
18 for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

19 E. Non-compliance with Order. If you do not comply with the terms of this order, the
20 Department may seek its enforcement by the Office of Attorney General to include the collection of the
21 fines and fees imposed herein.
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1 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for
2 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
3 attached hereto.

4 DATED this 20th day of July, 2010.



6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

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9 DEBORAH BORTNER
10 DIRECTOR
11 DIVISION OF CONSUMER SERVICES

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