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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:

NO. C-10-180-10-FO01

DBSA HOLDINGS INC;
ALEXANDER SHEKHTER, DESIGNATED
BROKER,

FINAL ORDER

Respondents.

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 13, 2010, 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 May 13, 2010, a Notice of Opportunity to Defend and Opportunity for Brief Adjudicative Proceeding, and blank Request for Brief Adjudicative Proceeding for DBSA Holdings, Inc. and Alexander Shekhter. The Department served the Statement of Charges, cover letter dated May 10, 2010, Notice of Opportunity to Defend and Opportunity for Brief Adjudicative Proceeding, and blank Request for Brief Adjudicative Proceeding for DBSA Holdings, Inc. and Alexander Shekhter on Respondents and on Respondents' registered agent, Registered Agent Solutions, Inc., on May 13, 2010, by First-Class mail and Federal Express overnight delivery. On May 14, 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 DBSA Holdings, Inc. and Alexander Shekhter did not request a brief adjudicative
2 proceeding within 20 calendar days after the Department served them with the Notice of Opportunity to Defend
3 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 for entry of
5 a final decision included the Statement of Charges, cover letter dated May 13, 2010, Notice of Opportunity to
6 Defend and Opportunity for Brief Adjudicative Proceeding, and blank Request for Brief Adjudicative Proceeding
7 for DBSA Holdings, Inc. and Alexander Shekhter, with documentation of service.

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

10 II. FINAL ORDER

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

13 A. IT IS HEREBY ORDERED, that:

- 14 1. Respondents DBSA Holdings, Inc. and Alexander Shekhter shall jointly and severally pay a fine
15 of \$13,800.
- 16 2. Respondents DBSA Holdings, Inc. and Alexander Shekhter shall jointly and severally pay an
17 investigation fee in the amount of \$48, calculated at \$48 per hour for one staff hour devoted to the
18 investigation; and
- 19 3. Respondents DBSA Holdings, Inc. and Alexander Shekhter shall file the 2009 annual report of
20 mortgage broker activity.

21 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a Petition for
22 Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the
23 Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater,
24 Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten days of
25 service of the Final Order upon Respondents. The Petition for Reconsideration shall not stay the effectiveness of
this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

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

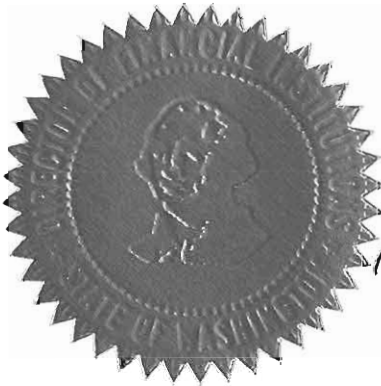
4 C. Stay of Order. The Director's designee has determined not to consider a Petition to Stay
5 the effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
6 Review made under chapter 34.05 RCW and RCW 34.05.550.

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

10 E. Non-compliance with Order. If you do not comply with the financial terms of this order within
11 30 days of service, the Department may seek its enforcement by the Office of Attorney General to include the
12 collection of the fines and fees.

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

15 DATED this 17th day of August, 2010.



17 STATE OF WASHINGTON
18 DEPARTMENT OF FINANCIAL INSTITUTIONS

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20 _____
21 DEBORAH BORTNER
22 DIRECTOR
23 DIVISION OF CONSUMER SERVICES
24
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1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

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

7 DBSA HOLDINGS INC;
8 ALEXANDER SHEKHTER, DESIGNATED
9 BROKER,

10 Respondents.

NO. C-10-180-10-SC01

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

11 INTRODUCTION

12 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial
13 Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the
14 Mortgage Broker Practices Act (Act). After having conducted an investigation pursuant to RCW 19.146.235, and
15 based upon the facts available as the date of this Statement of Charges, the Director, through his designee, Division
16 of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

17 I. FACTUAL ALLEGATIONS

18 **1.1 Respondents.** DBSA Holdings Inc was licensed by the Department of Financial Institutions of the
19 State of Washington (Department) to conduct business as a mortgage broker at all times relevant to the conduct
20 alleged. At all times relevant to the Statement of Charges, Alexander Shekhter was the Designated Broker for
21 the company.

22 **1.2 Failure to File Mortgage Broker Annual Report.** By March 31, 2010, Respondents were required to
23 file an annual report of mortgage broker activity to include the total number of closed loans originated and the
24 total volume of closed loans originated. As of the date of this Statement of Charges Respondents have not filed
25 the 2009 mortgage broker annual report.

1.3 On-Going Investigation. The Department's investigation into the alleged violations of the Act by
Respondents 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, Respondents are in apparent violation of RCW 19.146.290(1), WAC 208-660-250(7) 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

Respondents' 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** Respondents DBSA Holdings Inc and Alexander Shekhter pay a fine of \$100 per day for every day starting April 1, 2010, until the 2009 Mortgage Broker Annual Report is filed; and
- 4.2** Respondents DBSA Holdings Inc and Alexander Shekhter pay an investigation fee, which as of the date of these charges is \$48 calculated at \$48 per hour for one staff hour devoted to the investigation; and
- 4.3** Respondents DBSA Holdings Inc and Alexander Shekhter file the 2009 annual report of mortgage broker activity.

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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). Respondents 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 13th day of May, 2010.

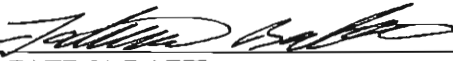


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DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions


18 Presented by:

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FATIMA BATIE
Financial Legal Examiner Supervisor

22 Approved by:

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JAMES R. BRUSSELBACK
Enforcement Chief