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

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

No.: C-10-392-11-FO01

ELM NATIONWIDE ENTERPRISES, LLC,
d/b/a 1ST FORECLOSURE PREVENTION,
BARBARA J. WEIDNER, President, and
ROIE J. RAITSES, Vice President,

FINAL ORDER
ROIE J. RAITSES

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 (Director's designee), pursuant to RCW 34.05.440(1). On December 22, 2010, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Prohibit from Industry, Impose Fine, Order Restitution, and Collect Investigation Fee (Statement of Charges) against ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention (ELM), Barbara J. Weidner, and Roie J. Raitses (Respondents). 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 December 22, 2010, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for each Respondent (collectively, accompanying documents).

On December 22, 2010, the Department served Respondents with the Statement of Charges and accompanying documents, sent by First-Class mail and Federal Express overnight delivery. On December 23, 2010, the documents sent via Federal Express overnight delivery were delivered. The

1 documents sent via First-Class mail were not returned to the Department by the United States Postal
2 Service as undeliverable.

3 On or about January 10, 2011, the Department received an email from Respondent Weidner
4 on behalf of herself and Respondent ELM disputing the allegations in the Statement of Charges and
5 requesting a hearing. Respondent Raitses, however, did not submit his request for an adjudicative
6 hearing until June 8, 2011; more than 20 calendar days after the Department served the Notice of
7 Opportunity to Defend and Opportunity for Hearing as provided for in WAC 208-08-050(2).

8 B. Record Presented. The record presented to the Director's designee for her review and
9 for entry of a final decision included the following:

- 10 1. Statement of Charges, cover letter dated December 22, 2010, Notice of
11 Opportunity to Defend and Opportunity for Hearing, and blank Application for
12 Adjudicative Hearing for Respondent Raitses, with documentation for service.
- 13 2. Signed Application for Adjudicative Hearing for Respondent Raitses filed June 8,
14 2011.

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 being
19 otherwise fully advised, NOW, THEREFORE:

20 A. IT IS HEREBY ORDERED, that:

- 21 1. Respondent Roie J. Raitses is prohibited from participation in the conduct of the
22 affairs of any mortgage broker or consumer lender subject to licensure by the
23 Director, in any manner, for a period of five years.
- 24 2. Respondent Roie J. Raitses pay a fine of \$150,000. This fine shall be joint and
several with any other Respondents determined to have violated the Act.
3. Respondent Roie J. Raitses pay restitution to the following consumers in the stated
amount:

1
2 L.S. \$2,095
3 F.M. \$3,885
4 I.K. \$3,885

5 This restitution shall be joint and several with any other Respondents determined
6 to have violated the Act.

7 4. Respondent Roie J. Raitses pay an investigation fee of \$912. This investigation
8 fee shall be joint and several with any other Respondents determined to have
9 violated the Act.

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

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

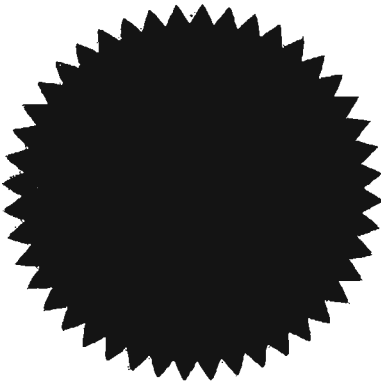
20 C. Stay of Order. The Director's designee has determined not to consider a Petition to
21 Stay the effectiveness of this order. Any such requests should be made in connection with a Petition
22 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

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

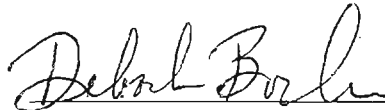
1 E. Non-compliance with Order. If you do not comply with the terms of this order, the
2 Department may seek its enforcement by the Office of the Attorney General to include the collection
3 of the fine, fee, and restitution imposed herein. The Department also may assign the amounts owed
4 to a collection agency for collection.

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

8 DATED this 6th day of September, 2011
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10 STATE OF WASHINGTON
11 DEPARTMENT OF FINANCIAL INSTITUTIONS

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13 DEBORAH BORTNER
14 Director
15 Division of Consumer Services
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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

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

NO. C-10-392-10-SC01

ELM NATIONWIDE ENTERPRISES, LLC,
d/b/a 1ST FORECLOSURE PREVENTION,
BARBARA J. WEIDNER, President,
ROIE J. RAITSES, Vice President,

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO PROHIBIT FROM
INDUSTRY, IMPOSE FINE, ORDER
RESTITUTION, AND COLLECT
INVESTIGATION FEE

Respondents.

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)¹. After having conducted an investigation pursuant to RCW 19.146.235, 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. ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention (Respondent 1st Foreclosure) has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker. Respondent 1st Foreclosure is known to do business from 67 Buck Road #B25, Huntingdon Valley, Pennsylvania.

¹ All referenced to the MBPA are to that version in effect at the time.

1 **B. Barbara J. Weidner (Respondent Weidner)** is known to be President of Respondent
2 1st Foreclosure. Respondent Weidner has never been licensed by the Department as a mortgage broker
3 or loan originator.

4 **C. Roie J. Raitses (Respondent Raitses)** is known to be a Vice President and Manager
5 for Respondent 1st Foreclosure. Respondent Raitses has never been licensed by the Department as a
6 mortgage broker or loan originator.

7 **1.2 Unlicensed Activity.**

8 **A. Complaint 31525.** On or about July 20, 2009, the Department received information
9 that Respondents were assisting or attempting to assist Washington borrowers with
10 residential mortgage loan modifications. The Department notified Respondent 1st
11 Foreclosure that it was required to be licensed in Washington as a mortgage broker
12 before assisting Washington borrowers with residential mortgage loan modifications,
13 and on or about October 16, 2009, Respondents submitted an Assurance of
14 Compliance acknowledging the licensing requirement and assuring the Department
15 that they would obtain a license before operating as a mortgage broker in Washington.
16

17 **B. Complaint 34554.** On or about March 1, 2009, Washington consumer L.S. entered
18 into an agreement with Respondents for assistance with applying for a residential loan
19 modification. Respondents were paid an advance fee of \$2,095 for this service.
20

21 **C. Complaint 36479.** On or about February 11, 2010, Washington consumer F.M.
22 entered into an agreement with Respondents for assistance with applying for a
23 residential loan modification. Respondents were paid an advance fee of \$3,885 for
24 this service.
25

1 applying to obtain a residential mortgage loan or (b) holds himself or herself out as being able to assist
2 a person in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-
3 006, a person ““assists a person in obtaining or applying to obtain a residential mortgage loan” by,
4 among other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan
5 packages...” which are necessary actions in a residential mortgage loan modification.

6 **2.2 Definition of a Loan Originator.** Pursuant to RCW 19.146.010(10) and WAC 208-660-006,
7 “Loan Originator” includes a natural person who offers or negotiates terms of a mortgage loan, for
8 direct or indirect compensation or gain, or in expectation of direct or indirect compensation or gain.
9 “Loan Originator” also includes a person who holds themselves out to the public as able to perform
10 any of these activities.
11

12 **2.3 Requirement to Obtain a Mortgage Broker License.** Based on the Factual Allegations set
13 forth in Section I above, Respondents are in apparent violation of RCW 19.146.200 and WAC 208-
14 660-155(3) for engaging in the business of a mortgage broker and loan originator for Washington
15 residents or property without first obtaining a license to do so.

16 **2.4 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
17 are in apparent violation of RCW 19.146.0201(1), (2), (3), and (7) for directly or indirectly employing
18 a scheme, device or artifice to defraud or mislead borrowers or lenders or any person, engaging in an
19 unfair or deceptive practice toward any person, obtaining property by fraud or misrepresentation, and
20 negligently making a false statement or knowingly and willfully making an omission of material fact
21 in connection with an investigation conducted by the Department.
22

23 III. AUTHORITY TO IMPOSE SANCTIONS

24 **3.1 Authority to Prohibit from the Industry.** Pursuant to RCW 19.146.220(5)(a), the Director
25 may issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage

1 broker, or both, any officer, principal, employee, or loan originator of any person subject to licensing
2 under the Act for any violation of RCW 19.146.200.

3 **3.2 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2)(e), the Director may impose a fine
4 for any violation of the Act.

5 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2)(e), the Director may order
6 restitution for any violation of the Act.

7 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-660-
8 550, the Department may collect the costs of investigation. The investigation charge will be calculated at
9 the rate of \$48 per hour that each examiner devoted to the investigation.
10

11 IV. NOTICE OF INTENTION TO ENTER ORDER

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

16
17 **4.1** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
18 Weidner, and Roie J. Raitses be prohibited from participation in the conduct of the affairs of any
19 mortgage broker or consumer lender subject to licensure by the Director, in any manner, for a
20 period of five years;

21 **4.2** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
22 Weidner, and Roie J. Raitses jointly and severally pay a fine which as of the date of these charges
23 totals \$150,000;

24 **4.3** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
25 Weidner, and Roie J. Raitses jointly and severally pay restitution to at least the following
consumers in the stated amount:

L.S.	\$2,095
F.M.	\$3,885
I.K.	\$3,885

1 4.4 Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
2 Weidner, and Roie J. Raitses jointly and severally pay an investigation fee which as of the date of
3 these charges totals \$912, calculated at \$48 per hour for the 19 examiner hours devoted to the
4 investigation; and

4 4.5 Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
5 Weidner, and Roie J. Raitses maintain records in compliance with the Act and provide the
6 Department with the location of the books, records and other information relating to Respondents'
7 mortgage broker business, and the name, address and telephone number of the individual
8 responsible for maintenance of such records in compliance with the Act.

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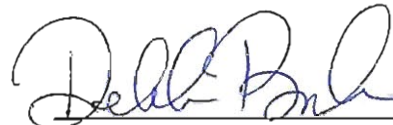
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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intention to Enter an Order to Prohibit from Industry,
3 Impose Fine, Order Restitution, and Collect Investigation Fee (Statement of Charges) is entered
4 pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223, and
5 RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative
6 Procedure Act). Respondents may make a written request for a hearing as set forth in the NOTICE OF
7 OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
8 Statement of Charges.
9

10 Dated this 22nd day of December, 2010.
11



12 

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

17 Presented by:

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19 STEVEN C. SHERMAN
20 Financial Legal Examiner

21 Approved by:

22 
23 JAMES R. BRUSSELBACK
24 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
Mortgage Broker Practices Act of
Washington by:

NO. C-10-392-11-SC02

ELM NATIONWIDE ENTERPRISES, LLC,
d/b/a 1ST FORECLOSURE PREVENTION,
BARBARA J. WEIDNER, President,
ROIE J. RAITSES, Vice President,

AMENDED STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO PROHIBIT FROM
INDUSTRY, IMPOSE FINE, ORDER
RESTITUTION, AND COLLECT
INVESTIGATION FEE

Respondents.

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)¹. After having conducted an investigation pursuant to RCW 19.146.235, and based upon the facts available as of the date of this Amended 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. ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention (Respondent 1st Foreclosure) has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker. Respondent 1st Foreclosure is known to do business from 67 Buck Road #B25, Huntingdon Valley, Pennsylvania.

¹ All referenced to the MBPA are to that version in effect at the time.

1 **B. Barbara J. Weidner (Respondent Weidner)** is known to be President of Respondent
2 1st Foreclosure. Respondent Weidner has never been licensed by the Department as a mortgage broker
3 or loan originator.

4 **C. Roie J. Raitses (Respondent Raitses)** is known to be a Vice President and Manager
5 for Respondent 1st Foreclosure. Respondent Raitses has never been licensed by the Department as a
6 mortgage broker or loan originator.

7 **1.2 Unlicensed Activity.**

8 **A. Complaint 31525.** On or about July 20, 2009, the Department received information
9 that Respondents were assisting or attempting to assist Washington borrowers with
10 residential mortgage loan modifications. The Department notified Respondent 1st
11 Foreclosure that it was required to be licensed in Washington as a mortgage broker
12 before assisting Washington borrowers with residential mortgage loan modifications,
13 and on or about October 16, 2009, Respondents submitted an Assurance of
14 Compliance acknowledging the licensing requirement and assuring the Department
15 that they would obtain a license before operating as a mortgage broker in Washington.
16

17 **B. Complaint 34554.** On or about March 1, 2009, Washington consumer L.S. entered
18 into an agreement with Respondents for assistance with applying for a residential loan
19 modification. Respondents were paid an advance fee of at least \$2,095 for this
20 service.
21

22 **C. Complaint 36479.** On or about February 11, 2010, Washington consumer F.M.
23 entered into an agreement with Respondents for assistance with applying for a
24 residential loan modification. Respondents were paid an advance fee of at least
25 \$3,885 for this service.

- 1 **D. Complaint 36604.** On or about February 10, 2010, Washington consumer I.K.
2 entered into an agreement with Respondents for assistance with applying for a
3 residential loan modification. Respondents were paid an advance fee of at least
4 \$3,885 for this service.
- 5 **E. Complaint 37171.** On or about January 15, 2010, Washington consumer T.P. entered
6 into an agreement with Respondents for assistance with applying for a residential loan
7 modification. Respondents were paid an advance fee of at least \$2,500 for this
8 service.
- 9 **F. Complaint 37532.** On or about February 26, 2009, Washington consumers A.G. and
10 J.G. entered into an agreement with Respondents for assistance with applying for a
11 residential loan modification. Respondents were paid an advance fee of at least \$3,000
12 for this service.
- 13 **G. Complaint 37537.** In or about March 2009, Washington consumer S.K. entered into
14 an agreement with Respondents for assistance with applying for a residential loan
15 modification. Respondents were paid an advance fee of at least \$1,895 for this
16 service.
- 17 **H. Complaint 37206.** On or about April 15, 2009, Washington consumers R.W. and
18 D.W. entered into an agreement with Respondents for assistance with applying for a
19 residential loan modification. Respondents paid an advance fee of \$3,090 for this
20 service.
- 21 **I.** On or about December 15, 2010, the Department reviewed Respondents' web site,
22 www.1stforeclosureprevention.com, and determined that Respondents were
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1 advertising that they were able to assist Washington consumers through Respondents'
2 loan modification services.

3 **1.3 Prohibited Acts.** As stated above, on or about October 16, 2009, Respondents submitted an
4 Assurance of Compliance to the Department, signed under penalty of perjury, acknowledging that
5 Respondents were required to obtain a license from the Department to assist Washington consumers
6 with residential mortgage loan modifications and assuring the Department that they would obtain a
7 license before doing so. On at least three separate occasions in January and February 2010, however,
8 Respondents violated this agreement and acted contrary to their sworn-to representations by initiating
9 and assisting at least three Washington consumers with residential mortgage loan modifications.
10 Additionally, Respondents continued to assist at least three Washington consumers with loan
11 modifications Respondent had initiated prior to submitting the Assurance of Compliance. It also
12 appears that Respondents have continuously advertised on their web site that they were able to assist
13 Washington consumers with residential mortgage loan modifications.
14

15 **1.4 On-Going Investigation.** The Department's investigation into the alleged violations of the
16 Act by Respondents continues to date.

17 II. GROUNDS FOR ENTRY OF ORDER

18 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(12) and WAC 208-660-006,
19 "Mortgage Broker" means any person who, for compensation or gain, or in the expectation of
20 compensation or gain (a) makes a residential mortgage loan or assists a person in obtaining or
21 applying to obtain a residential mortgage loan or (b) holds himself or herself out as being able to assist
22 a person in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-
23 006, a person "'assists a person in obtaining or applying to obtain a residential mortgage loan' by,
24
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1 among other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan
2 packages...” which are necessary actions in a residential mortgage loan modification.

3 **2.2 Definition of a Loan Originator.** Pursuant to RCW 19.146.010(10) and WAC 208-660-006,

4 “Loan Originator” includes a natural person who offers or negotiates terms of a mortgage loan, for
5 direct or indirect compensation or gain, or in expectation of direct or indirect compensation or gain.

6 “Loan Originator” also includes a person who holds themselves out to the public as able to perform
7 any of these activities.

8 **2.3 Requirement to Obtain a Mortgage Broker License.** Based on the Factual Allegations set

9 forth in Section I above, Respondents are in apparent violation of RCW 19.146.200 and WAC 208-
10 660-155(3) for engaging in the business of a mortgage broker and loan originator for Washington
11 residents or property without first obtaining a license to do so.

12 **2.4 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
13 are in apparent violation of RCW 19.146.0201(1), (2), (3), and (7) for directly or indirectly employing
14 a scheme, device or artifice to defraud or mislead borrowers or lenders or any person, engaging in an
15 unfair or deceptive practice toward any person, obtaining property by fraud or misrepresentation, and
16 negligently making a false statement or knowingly and willfully making an omission of material fact
17 in connection with an investigation conducted by the Department.

18
19 **III. AUTHORITY TO IMPOSE SANCTIONS**

20 **3.1 Authority to Prohibit from the Industry.** Pursuant to RCW 19.146.220(5)(a), the Director
21 may issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage
22 broker, or both, any officer, principal, employee, or loan originator of any person subject to licensing
23 under the Act for any violation of RCW 19.146.200.

1 **3.2 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2)(e), the Director may impose a fine
2 for any violation of the Act.

3 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2)(e), the Director may order
4 restitution for any violation of the Act.

5 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-660-
6 550, the Department may collect the costs of investigation. The investigation charge will be calculated at
7 the rate of \$48 per hour that each examiner devoted to the investigation.
8

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

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

14 **4.1** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
15 Weidner, and Roie J. Raitses be prohibited from participation in the conduct of the affairs of any
16 mortgage broker or consumer lender subject to licensure by the Director, in any manner, for a
17 period of five years;

18 **4.2** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
19 Weidner, and Roie J. Raitses jointly and severally pay a fine which as of the date of these charges
20 totals \$150,000;

21 **4.3** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
22 Weidner, and Roie J. Raitses jointly and severally pay restitution to at least the following
23 consumers in the stated amount:

L.S.	\$2,095	F.M.	\$3,885
I.K.	\$3,885	T.P.	\$2,500
A.G.	\$3,000	S.K.	\$1,895
R.W.	\$3,090		

24 **4.4** Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
25 Weidner, and Roie J. Raitses jointly and severally pay an investigation fee which as of the date of

1 these charges totals \$1,680, calculated at \$48 per hour for the 35 examiner hours devoted to the
2 investigation to date; and

3 4.5 Respondents ELM Nationwide Enterprises, LLC, d/b/a 1st Foreclosure Prevention, Barbara J.
4 Weidner, and Roie J. Raitzes maintain records in compliance with the Act and provide the
5 Department with the location of the books, records and other information relating to Respondents'
6 mortgage broker business, and the name, address and telephone number of the individual
7 responsible for maintenance of such records in compliance with the Act.

8 V. AUTHORITY AND PROCEDURE


9 This Amended Statement of Charges and Notice of Intention to Enter an Order to Prohibit
10 from Industry, Impose Fine, Order Restitution, and Collect Investigation Fee (Amended Statement of
11 Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW
12 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The
13 Administrative Procedure Act). Respondents may make a written request for a hearing as set forth in
14 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
15 accompanying this Amended Statement of Charges.

16 Dated this 3rd day of February, 2011.



17 DEBORAH BORTNER
18 Director
19 Division of Consumer Services
20 Department of Financial Institutions

21 Presented by:


22 STEVEN C. SHERMAN
23 Financial Legal Examiner

24 Approved by:


25 JAMES R. BRUSSELBACK
Enforcement Chief