

ORDER SUMMARY – Case Number: C-10-406

Name(s): Nationwide Mortgage Solutions, Inc.
Shabber Rahman

Order Number: C-10-406-12-FO01

Effective Date: January 13, 2012

License Number: N/A
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: January 13, 2017

Prohibition/Ban Until: January 13, 2017

Investigation Costs	\$422.40	Due: 30 days	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$5,000	Due: 30 days	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$1,500	Due: 30 days	Paid <input type="checkbox"/> Y <input checked="" 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:	1			

Comments:

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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-10-406-12-FO01

NATIONWIDE MORTGAGE SOLUTIONS,
INC. and
SHABBER RAHMAN, Owner,

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 (Director's designee), pursuant to RCW 34.05.440(1). On November 17, 2011, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Prohibit from Industry, Order Restitution, Impose Fine, and Collect Investigation Fee (Statement of Charges) against Nationwide Mortgage Solutions, Inc. and Shabber Rahman (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 November 17, 2011, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondents (collectively, accompanying documents).

On November 17, 2011, the Department served Respondents with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery upon Respondents and upon Respondents' Agent for Service. On November 18, 2011, the documents sent by Federal Express overnight delivery to Respondents' Agent for Service were delivered. On November 22, 2011, the documents sent by Federal Express overnight delivery to Respondents were

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

3 Respondents did not request an adjudicative hearing within 20 calendar days after the
4 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for
5 in WAC 208-08-050(2).

6 B. Record Presented. The record presented to the Director's designee for her review and
7 for entry of a final decision included the Statement of Charges, cover letter dated November 17,
8 2011, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for
9 Adjudicative Hearing for Respondents, with documentation for service.

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

12 II. FINAL ORDER

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

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rahman are
17 prohibited from participation in the conduct of the affairs of any mortgage broker
subject to licensure by the Director, in any manner, for a period of five years.
- 18 2. Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rahman jointly
19 and severally pay a fine in the amount of \$5,000.
- 20 3. Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rahman jointly
21 and severally pay restitution totaling \$1,500 to borrower F.M.
- 22 4. Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rahman jointly
23 and severally pay an investigation fee in the amount of \$422.40.

1 5. Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rahman maintain
2 records in compliance with the Act and provide the Department with the location
3 of the books, records, and other information relating to Respondents' mortgage
broker business, and the name, address, and telephone number of the individual
responsible for maintenance of such records in compliance with the Act.

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

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

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

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

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

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

4 DATED this 13th day of January, 2012.



6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

9 _____
10 DEBORAH BORTNER
11 Director
12 Division of Consumer Services

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 NATIONWIDE MORTGAGE SOLUTIONS, INC.,
8 and
9 SHABBER RAHMAN, Owner,
10 Respondents.

No. C-10-406-11-SC01

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

16 INTRODUCTION

17 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of
18 Financial Institutions of the State of Washington (Director) is responsible for the administration of
19 chapter 19.146 RCW, the Mortgage Broker Practices (Act)¹. After having conducted an investigation
20 pursuant to RCW 19.146.235, and based upon the facts available as of date of this Statement of
21 Charges, the Director, through his designee, Division of Consumer Services Director Deborah
22 Bortner, institutes this proceeding and finds as follows:

23 I. FACTUAL ALLEGATIONS

24 1.1 Respondents.

A. **Nationwide Mortgage Solutions, Inc. (Nationwide)** has never been licensed by the
Department of Financial Institutions of the State of Washington (Department) to conduct business as
a mortgage broker. Respondent Nationwide is known to have conducted business as a mortgage
broker for Washington residents and properties from 902 W. Anaheim Street, Wilmington,
California.

¹ RCW 19.146 (2006)
STATEMENT OF CHARGES
C-10-406-11-SC01
Nationwide Mortgage Solutions, Inc.
Shabber Rahman

1 also includes the collection of data for submission to any entity performing mortgage loan
2 modification services.

3 **2.4 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
4 are in apparent violation of RCW 19.146.0201 (2) and (3) for engaging in an unfair or deceptive
5 practice toward any person and obtaining property by fraud or misrepresentation.

6 **2.5 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
7 Allegations set forth in Section I above, Respondents are is in apparent violation of RCW
8 19.146.200(1) and WAC 208-660-155 for engaging in the business of a mortgage broker without first
9 obtaining and maintaining a license under the Act.

10 III. AUTHORITY TO IMPOSE SANCTIONS

11 **3.1 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
12 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a
13 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed
14 mortgage broker or any person subject to licensing under the Act for: any violation of RCW
15 19.146.0201(1) through (9) or (13), RCW 19.146.030 through RCW 19.146.080, RCW 19.146.200,
16 RCW 19.146.205(4), or RCW 19.146.265; false statements or omission of material information on
17 the application that, if known, would have allowed the Director to deny the application for the
18 original license; conviction of a gross misdemeanor involving dishonesty or financial misconduct or a
19 felony after obtaining a license; or failure to comply with any directive or order of the Director.

20 **3.2 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
21 restitution against licensees or other persons subject to the Act for any violation of the Act.

22 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
23 against a licensee or other persons subject to the Act for any violation of the Act

1 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-
2 520(9) & (11), and WAC 208-660-550(4)(a), the Department may collect the costs of investigation.
3 The Department will charge forty-eight dollars per hour for an examiner's time devoted to an
4 investigation of a licensee or other person subject to the Act.

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

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

10 **4.1** Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rohman be prohibited from
11 participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director,
12 in any manner, for a period of five years.

13 **4.2** Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rohman jointly and severally
14 pay a fine which as of the date of this Statement of Charges totals \$5,000.

15 **4.3** Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rohman jointly and severally
16 pay restitution totaling \$1,500 to borrower F.M.

17 **4.4** Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rohman jointly and severally
18 pay an investigation fee which as of the date of this Statement of Charges totals \$422.40.

19 **4.5** Respondents Nationwide Mortgage Solutions, Inc. and Shabber Rohman maintain records in
20 compliance with the Act and provide the Department with the location of the books, records, and
21 other information relating to Respondents' mortgage broker business, and the name, address, and
22 telephone number of the individual responsible for maintenance of such records in compliance with
23 the Act.

1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
3 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter
4 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a
5 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR
6 HEARING accompanying this Statement of Charges.

7
8 Dated this 17th day of November, 2011



9
10 DEBORAH BORTNER
11 Director
12 Division of Consumer Services
13 Department of Financial Institutions

14 Presented by:

15 STEVEN C. SHERMAN
16 Financial Legal Examiner

17 Approved by:

18
19 JAMES R. BRUSSELBACK
20 Enforcement Chief