

ORDER SUMMARY – Case Number: C-10-444

Name(s): Nationwide Financial Solutions, LLC
Stephen A. Bloom

Order Number: C-10-444-13-FO01

Effective Date: November 19, 2013

License Number: Unlicensed
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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:

Not Apply Until: November 19, 2018

Not Eligible Until: November 19, 2018

Prohibition/Ban Until: November 19, 2018

Investigation Costs	\$744	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$3,000	Due	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	\$399.85	Due	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:				

Comments:

Respondents Nationwide and Bloom must immediately, upon entry of the FO, cease and desist engaging in the business of a MB or LO; provide the Department with a list of all Washington customers, and must, w/i 30 days of receipt of the FO, pay the Department \$ 4,143.85 in restitution (\$ 399.85), fine (\$ 3,000), and investigation fees (\$ 744).



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:

No.: C-10-444-13-FO01

FINAL ORDER

NATIONWIDE FINANCIAL SOLUTIONS, LLC,
and
STEPHEN BLOOM, Managing Member,

Respondents.

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"), pursuant to RCW 34.05.440(2). On September 27, 2012, the Director, through his designee, Consumer Services Division Director Deborah Bortner, issued a Statement of Charges and Notice of Intent to Enter an Order to Produce Records, Cease and Desist Business, Prohibit From Industry, Order Restitution, Impose Fine, and Collect Investigation Fee ("Statement of Charges") against Nationwide Financial Solutions, LLC and its Managing Member, Stephen Bloom ("Respondents"). On March 26, 2013, the Department of Financial Institutions ("Department") served Respondents by First-Class mail with the Statement of Charges, including a cover letter, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondents. On May 3, 2013, Respondents filed an Application for Adjudicative Hearing. On June 19, 2013, the Department made a request to the Office of Administrative Hearings ("OAH") to assign an Administrative Law Judge to schedule and conduct a hearing on the Statement of Charges. On July 8, 2013, Administrative Law Judge Mark Kim ("ALJ Kim") of the Spokane OAH issued a Notice of Conference scheduling a prehearing conference on Wednesday, August 14, 2013, at 1:00 p.m. The Notice of Conference stated: "**You**

1 **must participate in the conference. If you do not, a default may be entered. This means you**
2 **lost the opportunity to challenge the agency action. RCW 34.05.440.”** On July 8, 2013, OAH
3 served Respondents by First-Class mail with the Notice of Conference.

4 On August 14, 2013, the prehearing conference was convened by ALJ Kim at 1:00 p.m.
5 Respondents failed to appear, and the Department moved for an Order of Default dismissing
6 Respondents’ administrative appeal. The motion was orally granted at approximately 1:16 p.m. On
7 August 27, 2013, ALJ Kim issued an Initial Order of Default (“Order of Default”) dismissing
8 Respondents’ administrative appeal, and sent the Order of Default to Respondents via First-Class
9 mail.

10 Pursuant to RCW 34.05.440(3), Respondents had seven (7) days from the date of service of the
11 Order of Default to file a written motion with OAH requesting that the Order of Default be vacated,
12 and stating the grounds relied upon. Respondent did not make a request to vacate during the
13 statutory period.

14 Pursuant to RCW 34.05.464 and WAC 10-08-211, Respondents had twenty (20) days from the
15 date of service of the Order of Default to file with the Director a Petition for Review of the Order of
16 Default. Respondents did not file a Petition for Review during the statutory period.

17 B. Record Presented. The record presented to the Director for his review and for entry of a final
18 decision included the following:

- 19 1. Statement of Charges, cover letter, and Notice of Opportunity to Defend and Opportunity
20 for Hearing, with documentation of service.
- 21 2. Applications for Adjudicative Hearing for Respondent Nationwide Financial Solutions,
22 LLC and Respondent Stephen Bloom.
- 23 3. Request to OAH for Assignment of an ALJ.
- 24 4. Notice of Conference scheduling a prehearing conference on Wednesday, August 14,
2013, dated July 8, 2013, with documentation of service.

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2 5. Initial Order of Default dated August 27, 2013, with documentation of service.

3 C. Factual Findings and Grounds for Final Order. Pursuant to RCW 34.05.440(2), the Director
4 hereby adopts the Statement of Charges, which is incorporated herein by this reference and attached
5 hereto.

6 II. FINAL ORDER

7 Based upon the foregoing, and the Director having considered the record and being otherwise
8 fully advised, NOW, THEREFORE:

9 A. IT IS HEREBY ORDERED, That:

- 10 1. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen Bloom
11 immediately cease and desist engaging in the business of a mortgage broker or loan
12 originator.
- 13 2. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen Bloom are
14 prohibited from participation in the conduct of the affairs of any mortgage broker subject
15 to licensure by the Director, in any manner, for a period of five (5) years.
- 16 3. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen Bloom are
17 jointly and severally liable for and shall pay, within thirty (30) days of receipt of this
18 Final Order, Three Hundred Ninety Nine Dollars and Eighty Five Cents (\$399.85) in
19 restitution to the consumer identified in Paragraph 1.3 of the Statement of Charges.
- 20 4. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen Bloom are
21 jointly and severally liable for and shall pay to the Department, within thirty (30) days of
22 receipt of this Final Order, a fine of Three Thousand Dollars (\$3,000.00). *
- 23 5. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen Bloom are
24 jointly and severally liable for and shall pay to the Department, within thirty (30) days of
receipt of this Final Order, an investigation fee of Seven Hundred Forty Four Dollars
(\$744.00). *

21 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent Nationwide Financial Solutions,
22 LLC and Respondent Stephen Bloom each have the right to file a Petition for Reconsideration

23 _____
24 * The fine (\$ 3,000.00), and investigation fee (\$ 744.00) may be combined and paid in the form of a cashier's check in the amount of
Three Thousand Seven Hundred and Forty Four Dollars (\$3,744.00) made payable to the "Washington State Treasurer."

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

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

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

14 D. Judicial Review. Respondent Nationwide Financial Solutions, LLC and Respondent Stephen
15 Bloom each have the right to petition the superior court for judicial review of this Department action
16 under the provisions of chapter 34.05 RCW. For the requirements for filing a Petition for Judicial
17 Review, see RCW 34.05.510 and sections following.

18 E. Non-compliance with Final Order. If you do not comply with the terms of this Final Order,
19 **including payment of any amounts owed within thirty (30) days of receipt of this Final Order,**
20 the Department may seek its enforcement by the Office of the Attorney General to include the
21 collection of the restitution, fine, and investigation fee imposed herein. The Department also may
22 assign the amounts owed to a collection agency for collection.

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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 Final Oder by the Department in the U.S. mail,
3 declaration of service attached hereto.

4 DATED this 19th day of November, 2013.



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6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

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SCOTT JARVIS
Director



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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:

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NATIONWIDE FINANCIAL SOLUTIONS, LLC,
and
STEPHEN BLOOM, Managing Member,

Respondents.

No. C-10-444-12-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO PRODUCE RECORDS,
CEASE AND DESIST BUSINESS,
PROHIBIT FROM INDUSTRY, ORDER
RESTITUTION, IMPOSE FINE, AND
COLLECT INVESTIGATION FEE

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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). 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 Respondent Nationwide Financial Solutions, LLC (Respondent NFS) has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker or loan originator.

1.2 Respondent Stephen Bloom (Respondent Bloom) is Managing Member of Respondent NFS. During the relevant time period, Respondent Bloom was not licensed by the Department to conduct business as a mortgage broker or loan originator.

1.3 Unlicensed Activity. On or about November 13, 2009, Respondents NFS and Bloom (Respondents) were offering residential mortgage loan modification services to Washington consumers on property located in Washington State. Respondents entered into a contractual

1 relationship with at least one Washington consumer to provide those services and collected an
2 advance fee for the provision of those services. The Department has received at least one complaint
3 from a Washington consumer alleging Respondents provided or offered to provide residential
4 mortgage loan modification services while not licensed by the Department to provide those services.
5 The consumer M.F. paid Respondents a fee of \$399.85.

6 **1.4 Misrepresentations and Omissions.** Respondents represented that they were licensed to
7 provide the residential mortgage loan modification services or omitted disclosing that they were not
8 licensed to provide those services.

9 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
10 Act by Respondents continues to date.

11 II. GROUNDS FOR ENTRY OF ORDER

12 **2.1 Mortgage Broker Defined.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,
13 "Mortgage Broker" means any person who, for compensation or gain, or in the expectation of
14 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage
15 loan or (b) holds himself or herself out as being able to make a residential mortgage loan or assist a
16 person in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-
17 006, a person "assists a person in obtaining or applying to obtain a residential mortgage loan" by,
18 among other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan
19 packages...."

20 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), "loan originator" means a
21 natural person who for direct or indirect compensation or gain, or in the expectation of direct or
22 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker;
23 offers or negotiates terms of a mortgage loan; or holds themselves out to the public as able to perform
24 any of these activities.

1 **2.3 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents
2 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive
3 practice toward any person and obtaining property by fraud or misrepresentation.

4 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
5 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
6 for engaging in the business of a mortgage broker for Washington residents or property without first
7 obtaining a license to do so.

8 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
9 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)
10 for engaging in the business of a loan originator without first obtaining and maintaining a license.

11 **2.6 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
12 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a
13 location that is on file with and readily available to the Department until at least twenty-five months
14 have elapsed following the effective period to which the books and records relate.

15 III. AUTHORITY TO ORDER PRODUCTION OF RECORDS

16 **3.1 Authority to Order Production of Records.** Pursuant to RCW 19.146.223, RCW 19.146.
17 235(2), and WAC 208-660-520, the Director may issue orders directing any person to produce
18 books, accounts, records, files, and any other documents the director or designated person deems
19 relevant to an investigation.

20 IV. AUTHORITY TO IMPOSE SANCTIONS

21 **4.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the
22 Director may issue orders directing any person subject to the Act to cease and desist from
23 conducting business.
24

1 **4.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may
2 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker
3 any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9)
4 or (13), or RCW 19.146.200.

5 **4.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order
6 restitution against any person subject to the Act for any violation of the Act.

7 **4.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
8 against any person subject to the Act for any violation of the Act.

9 **4.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), and WAC 208-
10 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time
11 devoted to an investigation of any person subject to the Act.

12 **V. NOTICE OF INTENT TO ENTER ORDER**

13 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as
14 set forth above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,
15 and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

16 **5.1** Respondents cease and desist engaging in the business of a mortgage broker or loan
17 originator.

18 **5.2** Respondents provide the Department with a list detailing all residential mortgage loan
19 modification services transactions with Washington consumers, including the name, address,
and phone numbers of the consumers, the transaction date, and fees collected by Respondents
for the provision of those services.

20 **5.3** Respondents be prohibited from participation in the conduct of the affairs of any mortgage
21 broker subject to licensure by the Director, in any manner, for a period of five years.

22 **5.4** Respondents jointly and severally pay restitution to the consumer identified by the
23 Department in paragraph 1.3 as having paid \$399.85 to Respondents, and that Respondents
24 jointly and severally pay restitution to each Washington consumer with whom they entered
into a contract for residential mortgage loan modification services related to real property or
consumers located in the state of Washington equal to the amount collected from that
Washington consumer for those services in an amount to be determined at hearing.

1 5.5 Respondents jointly and severally pay a fine of \$3,000 for each residential loan modification
2 transaction entered into with Washington consumers. As of the date of this Statement of
Charges, the fine totals \$6,000.

3 5.6 Respondents jointly and severally pay an investigation fee at the rate of \$48.00 per hour. As
4 of the date of this Statement of Charges, the investigation fee totals \$744.

5 5.7 Respondents maintain records in compliance with the Act and provide the Department with
6 the location of the books, records and other information relating to Respondents' provision of
7 residential mortgage loan modification services in Washington, and the name, address and
8 telephone number of the individual responsible for maintenance of such records in
9 compliance with the Act.

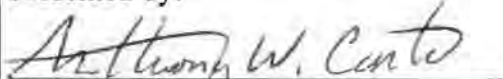
10 **VI. AUTHORITY AND PROCEDURE**

11 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
12 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter
13 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a
14 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR
15 HEARING accompanying this Statement of Charges.

16 Dated this 27th day of September, 2012.

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

21 Presented by:

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23 ANTHONY W. CARTER
24 Financial Legal Examiner

Approved by:


CHARLES E. CLARK
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:

NATIONWIDE FINANCIAL SOLUTIONS, LLC,
and
STEPHEN BLOOM, Managing Member,

Respondent(s).

No. C-10-444-12-SC01

NOTICE OF OPPORTUNITY TO DEFEND AND
OPPORTUNITY FOR HEARING

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THE STATE OF WASHINGTON TO:

Nationwide Financial Solutions, LLC
Stephen Bloom, Managing Member

You are notified that a Statement of Charges has been filed against you by the Department of Financial Institutions (Department), a true and correct copy is attached.

APPLICATION FOR ADJUDICATIVE HEARING

You are further notified that you may file an application for adjudicative hearing before the Department on the Statement of Charges. Service of this notice is deemed complete upon deposit in the United States mail. Your application for adjudicative hearing must be received by the Department within twenty (20) days from the date you received this notice.

ADJUDICATIVE HEARING

If you request an adjudicative hearing, you will be notified of the time and place for the hearing at least seven (7) days in advance of the hearing date. In most cases, a conference ("prehearing conference") will be conducted before the hearing to discuss preliminary matters and select mutually convenient hearing dates. At the hearing, you may appear personally, and by counsel, if you desire. The hearing will be as informal as is practical within the requirements of the Administrative Procedure Act (see chapter 34.05 RCW). The hearing will be recorded. The primary concern will be getting to the truth of the matter insofar as the Statement of Charges is concerned. Technical rules of evidence will not be binding at the hearing except for the rules or privilege recognized by law. You have the right to present evidence and witnesses in your own behalf, and to cross-examine those witnesses presented in support of the Statement of Charges. You may require the attendance of witnesses by subpoena.

1 **INTERPRETER AVAILABILITY**

2 If you or a witness for you is a person who, because of non-English-speaking cultural background, cannot
3 readily speak or understand the English language, you have the right to have an interpreter appointed at no cost to
4 you.

5 If you or a witness for you is a person who, because of a hearing or speech impairment, cannot readily
6 understand or communicate in spoken language, you have the right to have an interpreter appointed at no cost to
7 you.

8 IF YOU NEED AN INTERPRETER, then a qualified interpreter will be appointed at no cost to you or to
9 the witness. You may request the appointment of a qualified interpreter by indicating your request on the attached
10 Application for Adjudicative Hearing form.

11 **WARNING**

12 You are further notified that if the Department does not RECEIVE the completed Application for
13 Adjudicative Hearing form within twenty (20) days from the date you received this notice, this will constitute a
14 waiver of your right to a hearing and the Department will find that you do not contest the allegations in the
15 Statement of Charges. Upon such a finding, a final order will be immediately entered disposing of this matter as
16 described in the Statement of Charges. If you desire a hearing in this matter, you must complete and return the
17 attached Application for Adjudicative Hearing to:

18 Department of Financial Institutions
19 Division of Consumer Services
20 Attn: Steven C. Sherman
21 PO Box 41200
22 Olympia, Washington 98504-1200

23 Dated this 27th day of September, 2012



24 *Deborah Bortner*

DEBORAH BORTNER, Director
Division of Consumer Services
Department of Financial Institutions

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 FINANCIAL SOLUTIONS, LLC,
8 and
9 STEPHEN BLOOM, Managing Member,

10 Respondent(s).

No. C-10-444-12-SC01

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12 OPPORTUNITY FOR HEARING

13 **THE STATE OF WASHINGTON TO:**

14 Stephen Bloom, Managing Member
15 Nationwide Financial Solutions, LLC

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seven (7) days in advance of the hearing date. In most cases, a conference ("prehearing conference") will be
conducted before the hearing to discuss preliminary matters and select mutually convenient hearing dates. At the
hearing, you may appear personally, and by counsel, if you desire. The hearing will be as informal as is practical
within the requirements of the Administrative Procedure Act (see chapter 34.05 RCW). The hearing will be
recorded. The primary concern will be getting to the truth of the matter insofar as the Statement of Charges is
concerned. Technical rules of evidence will not be binding at the hearing except for the rules or privilege
recognized by law. You have the right to present evidence and witnesses in your own behalf, and to cross-
examine those witnesses presented in support of the Statement of Charges. You may require the attendance of
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16 described in the Statement of Charges. If you desire a hearing in this matter, you must complete and return the
17 attached Application for Adjudicative Hearing to:

18 Department of Financial Institutions
19 Division of Consumer Services
20 Attn: Steven C. Sherman
21 PO Box 41200
22 Olympia, Washington 98504-1200

23 Dated this 27th day of September, 2012



24 *Deborah Bortner*

DEBORAH BORTNER, Director
Division of Consumer Services
Department of Financial Institutions