

**ORDER SUMMARY – Case Number: C-11-0660**

**Name(s):** Rosemarie T. Hollander  
a/k/a Rose Marie Hollander

**Order Number:** C-11-0660-13-CO01

**Effective Date:** February 5, 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**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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:** N/A

**Not Apply Until:** Shall Never Apply to the Department for Any License

**Not Eligible Until:** N/A

**Prohibition/Ban Until:** Permanently Prohibited from MB and CL industry

<b>Investigation Costs</b>	\$672	Due NOW	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 2/4/2013
<b>Fine</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$30,182.50	Due NOW	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:		12		

**Comments:**  


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FEB 01 2013

Enforcement Unit  
Division of Consumer Services  
Dept. of Financial Institutions

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-11-0660-13-CO01

CONSENT ORDER

ROSEMARIE T. HOLLANDER, a/k/a ROSE  
MARIE HOLLANDER, d/b/a CONSULT LAW  
GROUP, d/b/a LAW OFFICE OF ROSE MARIE  
HOLLANDER,

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Rosemarie T. Hollander, a/k/a Rose Marie Hollander (Respondent), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of the Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-11-0660-12-SC01 (Statement of Charges), entered March 7, 2012, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above-captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

CONSENT ORDER  
C-11-0660-13-CO01  
Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a  
Consult Law Group, d/b/a Law Office of Rose Marie Hollander

DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8703

1           A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter  
2 of the activities discussed herein.

3           B. **Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a  
4 hearing before an administrative law judge, and hereby waives her right to a hearing and any and all  
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached  
6 herein. Accordingly, Respondent, by her signature below, withdraws her appeal to the Office of  
7 Administrative Hearings.

8           C. **Admissions.** It is AGREED that Respondent admits to the following facts:

- 9           • Respondent has never been licensed by the Department to conduct the business of a  
10 mortgage broker or loan originator.
- 11           • Respondent has never been licensed to practice law in the state of Washington.
- 12           • From at least in or around April 2010 through at least in or around September 2010,  
13 Respondent offered to provide 13 consumers located in the state of Washington with  
14 residential mortgage loan modification services related to residential mortgage loans  
secured by real property located in the state of Washington, and collected \$30,182.50  
in advance fees from 12 of these consumers as identified and itemized in paragraph  
1.2 of the Statement of Charges.

15           D. **Mortgage Broker Activity.** It is AGREED that Respondent shall cease and desist from  
16 conducting the business of a mortgage broker without obtaining and maintaining a mortgage broker  
17 license or qualifying for an exemption from licensure under the Act.

18           E. **Loan Originator Activity.** It is AGREED that Respondent shall cease and desist from  
19 conducting the business of a loan originator without obtaining and maintaining a loan originator  
20 license or qualifying for an exemption from licensure under the Act.

21           F. **Prohibition from Industry.** It is AGREED that Respondent is permanently prohibited  
22 from participating, in any manner, in the conduct of the affairs of any mortgage broker or consumer  
23 loan company licensed by the Department or subject to licensure or regulation by the Department.

1 G. **Application for License.** It is AGREED that Respondent shall never apply to the  
2 Department for any license under any name or on behalf of any person.

3 H. **Restitution.** It is AGREED that Respondent owes and shall pay restitution totaling  
4 \$30,182.50 to 12 consumers as identified and itemized in paragraph 1.2 of the Statement of Charges  
5 as follows:

<u>Consumer</u>	<u>Restitution</u>
[REDACTED]	\$1,700.00
[REDACTED]	\$1,600.00
[REDACTED]	\$2,950.00
[REDACTED]	\$3,500.00
[REDACTED]	\$3,000.00
[REDACTED]	\$2,600.00
[REDACTED]	\$3,590.00
[REDACTED]	\$1,747.50
[REDACTED]	\$2,800.00
[REDACTED]	\$1,500.00
[REDACTED]	\$3,495.00
[REDACTED]	\$1,700.00

13 Upon payment of this restitution to these 12 consumers, Respondent shall notify the Department of  
14 such payment in writing and provide the Department with written proof of payment consisting of a  
15 copy of each cashier's check or a copy of the front and back of each cancelled check.

16 I. **Declaration of Financial Condition.** It is AGREED that Respondent has provided the  
17 Department with a Declaration comprehensively describing her current financial condition and  
18 representing her current inability to pay the restitution and fine sought in the Statement of Charges. It  
19 is further AGREED that, based on this Declaration, the Department has agreed to enter this Consent  
20 Order without imposing a fine on Respondent and without requiring the payment of restitution prior  
21 to entry of this Consent Order. Nothing in this paragraph shall be construed as relieving Respondent  
22 from the obligation to pay the \$30,182.50 restitution described in paragraph H of this Consent Order.

1           **J. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an  
2 investigation fee of \$672, in the form of a cashier's check made payable to the "Washington State  
3 Treasurer," upon entry of this Consent Order.

4           **K. Records Retention.** It is AGREED that Respondent shall maintain records in compliance  
5 with the Act and provide the Director with the location of the books, records and other information  
6 relating to Respondent's mortgage broker business, and the name, address and telephone number of  
7 the individual responsible for maintenance of such records in compliance with the Act.

8           **L. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to  
9 abide by the terms and conditions of this Consent Order may result in further legal action by the  
10 Director. In the event of such legal action, Respondent may be responsible to reimburse the Director  
11 for the cost incurred in pursuing such action, including but not limited to, attorney fees.

12           **M. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily  
13 entered into this Consent Order, which is effective when signed by the Director's designee.

14           **N. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read  
15 this Consent Order in its entirety and fully understands and agrees to all of the same.

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1 **RESPONDENT:**

2 [Redacted]

3 Rosemarie T. Hollander  
4 a/k/a Rose Marie Hollander

1/29/13  
Date

5 DO NOT WRITE BELOW THIS LINE

6 THIS ORDER ENTERED THIS 5<sup>th</sup> DAY OF February, 2013



8 [Redacted]

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

13 Presented by:

14 [Redacted]

15 MARK T. OLSON  
16 Financial Legal Examiner

17 Approved by:

18 [Redacted]

19 CHARLES E. CLARK  
20 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:

ROSEMARIE T. HOLLANDER, a/k/a ROSE  
MARIE HOLLANDER, d/b/a CONSULT LAW  
GROUP, d/b/a LAW OFFICE OF ROSE MARIE  
HOLLANDER,

Respondent.

No. C-11-0660-12-SC01

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

**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 Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law Group, d/b/a Law Office of Rose Marie Hollander (Respondent)** 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. Respondent is not licensed to practice law in the state of Washington.

**1.2 Unlicensed Activity.** On or about September 8, 2010, the Department issued a Directive and Requirement for Production of Records and Explanation (Department's Directive) directing Respondent to provide the Department with an explanation of the services provided or offered by

1 Respondent, a complete list of all transactions in which Respondent had provided loan modification  
2 services for properties or consumers located in the state of Washington, a list of all web sites used for  
3 marketing purposes, and either: a completed Claim of Non-Applicability of the Mortgage Broker  
4 Practices Act form (CNA form), including an explanation of why Respondent was not subject to  
5 licensure; or, a completed Declaration and Agreement to Cease and Desist form (DACD form)  
6 acknowledging Respondent was required to be licensed and agreeing to cease conducting business as  
7 a mortgage broker or loan originator until such time as Respondent had obtained the appropriate  
8 licenses.

9 On or about September 22, 2010, Respondent provided a response to the Department's  
10 Directive. Respondent stated that the services provided or offered were: "negotiating with banks to  
11 modify mortgages under HAMP or in-house modification programs." Respondent provided a list of  
12 13 consumers located in the state of Washington from whom Respondent had collected at least  
13 \$30,182.50 in fees for residential mortgage loan modification services from April 2010 through  
14 September 2010 as follows:

<u>Consumer</u>	<u>Fee Collected</u>
[REDACTED]	\$1,700.00
[REDACTED]	\$1,600.00
[REDACTED]	\$2,950.00
[REDACTED]	\$3,500.00
[REDACTED]	\$3,000.00
[REDACTED]	\$2,600.00
[REDACTED]	\$3,590.00
[REDACTED]	\$1,747.50
[REDACTED]	\$2,800.00
[REDACTED]	\$1,500.00
[REDACTED]	\$3,495.00
[REDACTED]	\$1,700.00
[REDACTED]	\$1,500.00 (noted "check bounced")

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1 Respondent stated in regards to web sites:

2 "There are no marketing and/or solicitations targeted specifically to Washington  
3 State. The only web sites used for marketing purposes are Lower My Bills.com  
4 and leads123.com These are national web sites. Consult Law Group has a web  
5 site, [www.consultlawgroup.com](http://www.consultlawgroup.com) A statement has been added to the web site  
6 stating that no clients and/or files can be accepted from the State of Washington."

7 Respondent provided a completed DACD form and a completed CNA form, with the following  
8 explanation of why Respondent was not subject to licensure: "We have ceased accepting all loan  
9 modifications in Washington as of three approx. weeks ago. No further cases will be taken."

10 In or around May 2011, further investigation by the Department revealed that, while  
11 Respondent did add a disclaimer that Respondent could not accept any clients or files from the state  
12 of Washington to the web site [www.consultlawgroup.com](http://www.consultlawgroup.com), Respondent was using two other web  
13 sites, [www.consult-lawgroup.com](http://www.consult-lawgroup.com) and [www.consultlaw-group.com](http://www.consultlaw-group.com), neither of which contained the  
14 disclaimer regarding consumers in the state of Washington and both of which contained a testimonial  
15 from consumer [REDACTED] purporting to be from Bothell, Washington.<sup>1</sup> As of the date of this Statement of  
16 Charges, the web sites [www.consultlawgroup.com](http://www.consultlawgroup.com) and [www.consult-lawgroup.com](http://www.consult-lawgroup.com) are not  
17 accessible (both displaying the message "We'll be back online shortly...SITE MAINTENANCE"),  
18 while [www.consultlaw-group.com](http://www.consultlaw-group.com) remains accessible and continues to lack a disclaimer regarding  
19 consumers in the state of Washington and continues to include the testimonial from consumer [REDACTED]

20 **1.3 Prohibited Acts.** The Department has received complaints from at least two of the  
21 consumers identified in paragraph 1.2 of this Statement of Charges, alleging Respondent did not  
22 provide residential mortgage loan modification services and did not refund any of the fees these two  
23 consumers paid to Respondent.

24 <sup>1</sup> While the testimonial claims that Respondent saved consumer [REDACTED]'s home from foreclosure by  
obtaining a loan modification, public real property records reveal that a person with the same first  
initial and last name as [REDACTED] lost her home in Bothell, Washington to foreclosure in or around August  
2010.

1 **1.4 Failure to Fully Comply with Directive.** Respondent's response to the Department's  
2 Directive did not disclose two web sites used by Respondent, [www.consult-lawgroup.com](http://www.consult-lawgroup.com) and  
3 [www.consultlaw-group.com](http://www.consultlaw-group.com), and the transaction list provided by Respondent did not include a  
4 transaction for consumer [REDACTED], whose testimonial appeared on the two undisclosed web sites.

5 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the  
6 Act by Respondent continues to date.

## 7 **II. GROUNDS FOR ENTRY OF ORDER**

8 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,  
9 "Mortgage broker" means any person who, for compensation or gain, or in the expectation of  
10 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage  
11 loan or (b) holds himself or herself out as being able to assist a person in obtaining or applying to  
12 obtain a residential mortgage loan.

13 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11) and WAC 208-660-006,  
14 "Loan originator" means a natural person who for direct or indirect compensation or gain, or in the  
15 expectation of direct or indirect compensation or gain: takes a residential mortgage loan application  
16 for a mortgage broker; offers or negotiates terms of a mortgage loan; performs residential mortgage  
17 loan modification services; or holds themselves out to the public as able to perform any of these  
18 activities.

19 **2.3 Definition of Residential Mortgage Loan Modification.** Pursuant to RCW 19.146.010(20)  
20 and WAC 208-660-006, "Residential mortgage loan modification" means a change in one or more of  
21 a residential mortgage loan's terms or conditions. Changes to a residential mortgage loan's terms or  
22 conditions include but are not limited to forbearances; repayment plans; changes in interest rates, loan  
23 terms, or loan types; capitalization of arrearages; or principal reductions.

1 **2.4 Definition of Residential Mortgage Loan Modification Services.** Pursuant to RCW  
2 19.146.010(21) and WAC 208-660-006, “Residential mortgage loan modification services” includes  
3 negotiating, attempting to negotiate, arranging, attempting to arrange, or otherwise offering to  
4 perform a residential mortgage loan modification. “Residential mortgage loan modification services”  
5 also includes the collection of data for submission to any entity performing mortgage loan  
6 modification services.

7 **2.5 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondent  
8 is in apparent violation of RCW 19.146.0201(1), (2) & (3) for directly or indirectly employing a  
9 scheme, device or artifice to defraud or mislead borrowers or lenders or any person, engaging in an  
10 unfair or deceptive practice toward any person, and obtaining property by fraud or misrepresentation.

11 **2.6 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual  
12 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.200(1)  
13 and WAC 208-660-155 for engaging in the business of a mortgage broker without first obtaining and  
14 maintaining a license under the Act.

15 **2.7 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual  
16 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.200(1)  
17 and WAC 208-660-155 for engaging in the business of a loan originator without first obtaining and  
18 maintaining a license under the Act.

19 **2.8 Requirement to Comply with a Directive.** Based on the Factual Allegations set forth in  
20 Section I above, Respondent is in apparent violation of RCW 19.146.235, WAC 208-660-520, and  
21 WAC 208-660-530, for failing to comply with a directive of the Director.

22 **2.9 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW  
23 19.146.060 and WAC 208-660-450, Respondent is required to keep all books and records in a

1 location that is on file with and readily available to the Department until at least twenty-five months  
2 have elapsed following the effective period to which the books and records relate.

### 3 **III. AUTHORITY TO IMPOSE SANCTIONS**

4 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the  
5 Director may issue orders directing a licensee, its employee, loan originator, independent contractor,  
6 agent, or other person subject to the Act to cease and desist from conducting business.

7 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may  
8 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a  
9 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed  
10 mortgage broker or any person subject to licensing under the Act for: any violation of RCW  
11 19.146.0201(1) through (9) or (13), or RCW 19.146.200; or failure to comply with any directive or  
12 order of the Director.

13 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order  
14 restitution against licensees or other persons subject to the Act for any violation of the Act.

15 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
16 against a licensee or other persons subject to the Act for: failure to comply with any directive, order,  
17 or subpoena of the Director; or any violation of the Act. Pursuant to RCW 19.146.220(3), the  
18 Director may impose fines on an employee, loan originator, independent contractor, or agent of the  
19 licensee, or other person subject to the Act, for: any violations of RCW 19.146.0201(1) through (9) or  
20 (13), or RCW 19.146.200; or failure to comply with any directive or order of the Director.

21 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-  
22 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour  
23 for an examiner's time devoted to an investigation of a licensee or other person subject to the Act.

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

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

6 **4.1** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
7 Group, d/b/a Law Office of Rose Marie Hollander, cease and desist from conducting  
8 the business of a mortgage broker and loan originator without obtaining and  
maintaining a mortgage broker license and loan originator license or qualifying for an  
exemption from licensure under the Act.

9 **4.2** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
10 Group, d/b/a Law Office of Rose Marie Hollander be prohibited from participation in  
11 the conduct of the affairs of any mortgage broker subject to licensure by the Director,  
in any manner, for a period of five years.

12 **4.3** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
13 Group, d/b/a Law Office of Rose Marie Hollander pay a fine. As of the date of this  
Statement of Charges, the fine totals \$25,000.

14 **4.4** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
15 Group, d/b/a Law Office of Rose Marie Hollander pay restitution totaling the amount  
16 collected from all consumers for residential mortgage loan modification services  
related to real property or consumers located in the state of Washington, including at  
least \$30,182.50 to at least the 13 consumers identified in paragraph 1.2 of this  
Statement of Charges.

17 **4.5** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
18 Group, d/b/a Law Office of Rose Marie Hollander pay an investigation fee. As of the  
date of this Statement of Charges, the investigation fee totals \$672.

19 **4.6** Respondent Rosemarie T. Hollander, a/k/a Rose Marie Hollander, d/b/a Consult Law  
20 Group, d/b/a Law Office of Rose Marie Hollander maintain records in compliance  
21 with the Act and provide the Department with the location of the books, records and  
other information relating to Respondent's mortgage broker business, and the name,  
22 address and telephone number of the individual responsible for maintenance of such  
records in compliance with the Act.

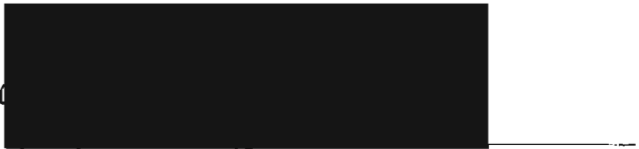
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1 **V. AUTHORITY AND PROCEDURE**

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). Respondent 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 7<sup>th</sup> day of March, 2012



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

15 Presented by:



16 MARK T. OLSON  
17 Financial Legal Examiner

18 Approved by:



19 JAMES R. BRUSSELBACK  
20 Enforcement Chief