

# Terms Completed

## ORDER SUMMARY – Case Number: C-12-0895

**Name(s):** WFG Lender Services LLC d/b/a New Millennium Title Group  
 \_\_\_\_\_  
 \_\_\_\_\_

**Order Number:** C-12-0895-12-CO01  
 \_\_\_\_\_

**Effective Date:** June 18, 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**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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:** N/A  
 \_\_\_\_\_

**Prohibition/Ban Until:** N/A  
 \_\_\_\_\_

<b>Investigation Costs</b>	\$437.50	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$15,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Judgment</b>	N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b> N/A		<input type="checkbox"/> Y <input type="checkbox"/> N		
	No. of Victims:			

**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  
Escrow Agent Registration Act of Washington by:

No.: C-12-0895-12-CO01

CONSENT ORDER

WFG LENDER SERVICES, LLC d/b/a NEW  
MILLENNIUM TITLE GROUP,  
Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and WFG Lender Services, LLC f/d/b/a New Millennium Title Group (Respondent WFG Lender), 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 18.44 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-12-0895-12-SC01 (Statement of Charges), entered March 8, 2012, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration 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. Respondent is agreeing not to contest the Statement of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

CONSENT ORDER  
C-12-0895-12-CO01  
WFG LENDER SERVICES, LLC

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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 its 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 the signatures of its representatives below, withdraws its appeal  
7 to the Office of Administrative Hearings.

8           **C. Acknowledgement of Violation.** Respondent acknowledges that due to internal staff  
9 errors it provided escrow services in 31 mortgage refinance transactions (Subject Transactions) in  
10 Washington in 2011, that it was not licensed to provide escrow transactions in Washington as of the  
11 date of each of the Subject Transactions, and that its performance of unlicensed escrow services in  
12 each of the Subject Transactions violated the statutes as referenced in the Statement of Charges.

13           **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of  
14 \$15,000, in the form of a cashier's check made payable to the "Washington State Treasurer," upon  
15 entry of this Consent Order.

16           **E. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an  
17 investigation fee of \$437.50, in the form of a cashier's check made payable to the "Washington State  
18 Treasurer," upon entry of this Consent Order. The Fine and Investigation Fee may be paid together  
19 in one \$15,437.50 cashier's check made payable to the "Washington State Treasurer."

20           **F. Authority to Execute Order.** It is AGREED that the undersigned have represented and  
21 warranted that they have the full power and right to execute this Consent Order on behalf of the  
22 parties represented.

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

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

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

9 **RESPONDENT:**

10 **WFG Lender Services, LLC, f/d/b/a New Millennium Title Group**

11 [Redacted Signature]

12 [Redacted Signature]  
13 Dan Gaudreau  
14 Vice President of Operations

6/13/12  
Date

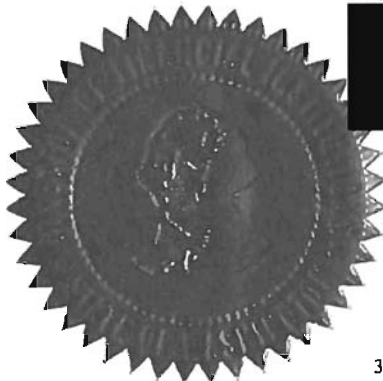
15 [Redacted Signature]

16 Andrew A. Guy, Attorney at Law  
17 Attorney for Respondent

Date

18 DO NOT WRITE BELOW THIS LINE

19 THIS ORDER ENTERED THIS 18<sup>th</sup> DAY OF June, 2012




20 [Redacted Signature]


21 DEBORAH BORTNER  
22 Director  
23 Division of Consumer Services  
24 Department of Financial Institutions

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Presented by:  


DEBORAH TAEILLIOUS  
Financial Legal Examiner

Approved by:  


CHARLES CLARK  
Enforcement Chief

RECEIVED

JUN 15 2012

ENFORCEMENT UNIT  
DIVISION OF CONSUMER SERVICES  
DEPT OF FINANCIAL INSTITUTIONS

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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  
Escrow Agent Registration Act of Washington by:

WFG LENDER SERVICES, LLC, d/b/a NEW  
MILLENNIUM TITLE GROUP,

Respondent.

No.: C-12-0895-12-SC01

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

**INTRODUCTION**

Pursuant to RCW 18.44.410, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 18.44 RCW, the Escrow Agent Registration Act (Act). After having conducted an investigation pursuant to RCW 18.44.420 and WAC 208-680-620, 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 WFG Lender Services, LLC, d/b/a New Millennium Title Group**

**(Respondent)** is located at 6100 Tennyson Parkway, Suite 100, Plano, Texas, 75024. Respondent has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as an escrow agent in the State of Washington.

**1.2 Prior Enforcement Action.** On October 29, 2010, the Department issued Statement of Charges C-10-321-10-SC01 against Respondent named as New Millennium Title Group alleging that between at least October 1, 2008, and February 27, 2009, Respondent performed escrow functions in at least 19 Washington residential mortgage loan transactions. On or about May 24, 2010,

Respondent provided the Department with an Agreement to Cease and Desist from providing escrow

1 services in the state of Washington until such time as Respondent obtains a license from the  
2 Department or meets an exclusion from licensing as delineated in the Act. On December 15, 2010,  
3 the Department and Respondent entered into Consent Order C-10-321-10-CO01 to resolve the matter.

4 **1.3 Unlicensed Activity.** Between at least January 1, 2011, and November 31, 2011, Respondent  
5 performed escrow functions in at least 31 Washington residential mortgage loan transactions.  
6 Respondent received approximately \$12,043 as “fees” for those loans. Respondent did not have an  
7 Escrow Agent, Designated Escrow Officer, or Escrow Officer license issued by the Department  
8 during any of the time in question. On or about December 5, 2011, Respondent provided the  
9 Department with an Agreement to Cease and Desist from providing escrow services in the state of  
10 Washington until such time as Respondent obtains a license from the Department or meets an  
11 exclusion from licensing as delineated in the Act.

12 **1.4 On-Going Investigation.** The Department’s investigation into the alleged violations of the  
13 Act by Respondent continues to date.

## 14 II. GROUNDS FOR ENTRY OF ORDER

15 **2.1 Definition of Escrow.** Pursuant to RCW 18.44.011(4), “Escrow” means any transaction  
16 wherein any person or persons, for the purpose of effecting and closing the sale, purchase, exchange,  
17 transfer, encumbrance, or lease of real or personal property to another person or persons, delivers any  
18 written instrument, money, evidence of title to real or personal property, or other thing of value to a  
19 third person to be held by such third person until the happening of a specified event or the  
20 performance of a prescribed condition or conditions, when it is then to be delivered by such third  
21 person, in compliance with instructions under which he or she is to act, to a grantee, grantor,  
22 promisee, promisor, obligee, obligor, lessee, lessor, bailee, bailor, or any agent or employee thereof.



1 **2.2 Definition of Escrow Agent.** Pursuant to RCW 18.44.011(6) “Escrow Agent” means any  
2 person engaged in the business of performing for compensation the duties of the third person referred  
3 to in RCW 18.44.011(4).

4 **2.3 Requirement to Obtain and Maintain License.** Based on Factual Allegations set forth in  
5 Section I above, Respondent is in apparent violation of RCW 18.44.021, RCW 18.44.070, RCW  
6 18.44.101, and RCW 18.44.171 for engaging in the business of an escrow agent without a license or  
7 designated escrow officer.

8 **2.4 Requirement to Maintain Records in the State of Washington.** Based on the Factual  
9 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 18.44.400 and  
10 WAC 208-680-530 for failing to maintain transaction records in the State of Washington for a period  
11 of six years from completion of the transaction.

### 12 III. AUTHORITY TO IMPOSE SANCTIONS

13 **3.1 Authority to Impose Fine.** Pursuant to RCW 18.44.430(3) and WAC 208-680-640(1)(d), in  
14 addition to or in lieu of license denial the Director may impose a fine up to \$100 per day for each  
15 day’s violation of the Act.

16 **3.2 Authority to Collect Investigation Fee.** Pursuant to RCW 18.44.410 and WAC 208-680-  
17 610(4), the expense of an investigation shall be borne by the entity which is the subject of the  
18 investigation.

### 19 IV. NOTICE OF INTENTION TO ENTER ORDER

20 Respondent’s violations of the provisions of chapter 18.44 RCW as set forth in the above  
21 Factual Allegations and Grounds for Entry of Order constitute a basis for the entry of an Order under  
22 RCW 18.44.400, RCW 18.44.410, RCW 18.44.420, RCW 18.44.430, RCW 18.44.440 and WAC  
23 208-680-630, which authorize the Director to enforce all laws, rules, and regulations related to the

1 registration of escrow agents and licensing of escrow officers. Therefore, it is the Director's intention  
2 to ORDER that:

3 **4.1** Respondent WFG Lender Services, LLC, d/b/a New Millennium Title Group pay a fine,  
4 which as of the date of this Statement of Charges totals \$31,000.

5 **4.2** Respondent WFG Lender Services, LLC, d/b/a New Millennium Title Group pay an  
6 investigation fee, which as of the date of this Statement of Charges totals \$437.50, calculated  
7 at \$62.50 per hour for seven (7) staff hours.

8 **4.3** Respondent WFG Lender Services, LLC, d/b/a New Millennium Title Group its officers,  
9 employees, and agents maintain all records involving Washington State escrow transactions  
10 within the state of Washington for a period of six years from completion of the escrow  
11 transactions.

### 12 V. AUTHORITY AND PROCEDURE

13 This Statement of Charges is entered pursuant to the provisions of RCW 18.44.410, RCW  
14 18.44.430, and RCW 18.44.440, and is subject to the provisions of chapter 34.05 RCW (The  
15 Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in  
16 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING  
17 accompanying this Statement of Charges.

18 Dated this Bth day of March, 2012

19 [Redacted Signature]  
20 DEBORAH BORTNER  
21 Director  
22 Division of Consumer Services  
23 Department of Financial Institutions

24 Presented by: [Redacted Signature]  
25 [Redacted Signature]  
26 DEBORAH TAELLIUS  
27 Financial Legal Examiner

28 Approved by:  
29 [Redacted Signature]  
30 JAMES R. BRUSSELBACK  
31 Enforcement Chief

