ORDER SUMMARY – Case Number: C-12-0931

Name(s):	Lisa M Morgan				
Order Number:	C-12-0931-13-FO01				
Effective Date:	5/29/2013				
License Number: Or NMLS Identifier [U/L] License Effect:	U/L (Revoked, suspended, stayed, application denied or withdrawn) If applicable, you must specifically note the ending dates of terms. n/a				
Not Apply Until:	5/29/2018				
Not Eligible Until:	5/29/2018				
Prohibition/Ban Until :	5 years				
Investigation Costs	\$912	Due	Paid Y N	Date	
Fine	\$39,000	Due	Paid Y N	Date	
Assessment(s)	\$	Due	Paid	Date	
Restitution	\$19,390.65	Due	Paid Y N	Date	
Judgment	\$	Due	Paid	Date	
Satisfaction of Judgment Filed? No. of Victims:					

Comments:

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-12-0931-13-FO01

LISA M. MORGAN,

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FINAL ORDER

Respondent.

I. <u>DIRECTOR'S CONSIDERATION</u>

A. <u>Default</u>. 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 March 25, 2013, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist Business, Prohibit from Industry, Order Restitution, Impose Fine, and Collect Investigation Fee (Statement of Charges) against Lisa M. Morgan (Respondent). 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 April 30, 2013, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On April 30, 2013, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On May 3, 2013, the documents sent by Federal Express overnight delivery were delivered. The documents sent by First-Class mail were not returned to the Department by the United States Postal Service.

FINAL ORDER C-12-0931-13-FO01 LISA M. MORGAN

1	Respondent did not request an adjudicative hearing within twenty calendar days after the					
2	Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for					
3	in WAC 208-08-050(2).					
4	B. <u>Rec</u>	ord Presented. The record presented to the Director's designee for her review and				
5	for entry of a final decision included the following:					
6 7		Statement of Charges, cover letter dated April 30, 2013, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Respondent, with documentation for service.				
8	C. <u>Fac</u>	tual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the				
9	Director's designed	e hereby adopts the Statement of Charges, which is attached hereto.				
10		II. <u>FINAL ORDER</u>				
11	Based upon the foregoing, and the Director's designee having considered the record and being					
12	otherwise fully advised, NOW, THEREFORE:					
13	A. <u>IT I</u>	S HEREBY ORDERED, That:				
14		Respondent Lisa M. Morgan cease and desist engaging in the business of a mortgage broker or loan originator.				
15 16		Respondent Lisa M. Morgan be prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director for a period of five years.				
17 18		Respondent Lisa M. Morgan pay restitution totaling \$19,390.65 to the thirteen consumers identified by the Department in paragraph 1.2 of the Statement of Charges and its appendix in the amounts set forth therein.				
19	4.	Respondent Lisa M. Morgan pay a fine of \$39,000.				
20	5.	Respondent Lisa M. Morgan pay an investigation fee of \$912.				
212223		Respondent Lisa M. Morgan maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondent Lisa M. Morgan's provision of residential mortgage loan modification services in Washington, and the name, address and				
24	FINAL ORDER C-12-0931-13-FO01 LISA M. MORGAN	2 DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services 150 Israel Rd SW PO Box 41200				

telephone number of the individual responsible for maintenance of such records in compliance with the Act.

B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter. A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on a petition. C. Stay of Order. The Director's designee has determined not to consider a Petition to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550. D. Judicial Review. Respondent has the right to petition the superior court for judicial 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. E. Non-compliance with Order. If Respondent does not comply with the terms of this order, the Department may seek its enforcement by the Office of the Attorney General to include the collection of the fine, investigation fee, and restitution imposed herein. The Department also may assign the amounts owed to a collection agency for collection.

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1	F. <u>Service</u> . 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.				
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5	DATED this 29 th day of May, 2013				
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7	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS				
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9	/s/ DEBORAH BORTNER				
10	Director Division of Consumer Services				
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24	FINAL ORDER 4 DEPARTMENT OF FINANCIAL INSTITUTIONS C-12-0931-13-F001 LISA M. MORGAN PO Box 41200 Olympia, WA 98504-1200 (360) 902-8703				

1 2	STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS DIVISION OF CONSUMER SERVICES					
3	IN THE MATTER OF DETERMINING	No. C-12-0931-13-SC01				
4	Whether there has been a violation of the Mortgage Broker Practices Act of Washington by:	STATEMENT OF CHARGES and NOTICE OF INTENT TO ENTER AN				
5	INTEGRITY MORTGAGE AND CREDIT SOLUTIONS, INC.,	ORDER TO CEASE AND DESIST BUSINESS, PROHIBIT FROM				
6	LISA M. MORGAN, Principal, and MATT E. MOSKOS, Principal.	INDUSTRY, ORDER RESTITUTION, IMPOSE FINE, AND COLLECT				
7		INVESTIGATION FEE				
8	Respondents.					
	INTRODUCTION					
9 10	Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial					
11	Institutions of the State of Washington (Director) is responsible for the administration of chapter					
12	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					
13	Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes					
14	this proceeding and finds as follows:					
15	I. FACTUAL A	LLEGATIONS				
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17	1.1 Respondents.					
18	A. Integrity Mortgage and Credit Solution	ons, Inc. (Respondent Integrity) has never been				
19	licensed by the Department of Financial Institutions	of the State of Washington (Department) to				
20	conduct business as a mortgage broker or loan originator.					
	B. Lisa M. Morgan (Respondent Morgan) is a principal of Respondent Integrity. During					
21	the relevant time period, Respondent Morgan was not licensed by the Department to conduct business					
22	as a mortgage broker or loan originator.					
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	STATEMENT OF CHARGES 1	DEPARTMENT OF FINANCIAL INSTITUTIONS Division of Consumer Services				

C. Matt E. Moskos (Respondent Moskos) is a principal of Respondent Integrity. During the relevant time period, Respondent Moskos was not licensed by the Department to conduct business as a mortgage broker or loan originator.

Unlicensed Activity. Between at least August 12, 2009, and the date of this Statement of 4 1.2 Charges, Respondents were offering residential mortgage loan modification services to Washington 6 consumers on property located in Washington State. Respondents entered into a contractual relationship with at least 13 Washington consumers to provide those services and collected an advance fee for the provision of those services. The Department has received at least one complaint from a 8 9 Washington consumer alleging Respondents provided or offered to provide residential mortgage loan 10 modification services while not licensed by the Department to provide those services. A list of Washington consumers with whom Respondents conducted business as a mortgage broker or loan 12 originator, and the amount paid by each is appended hereto and incorporated herein by reference.

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

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

II. GROUNDS FOR ENTRY OF ORDER

2.1 Mortgage Broker Defined. Pursuant to RCW 19.146.010(14) and WAC 208-660-006, "Mortgage Broker" means any person who, for compensation or gain, or in the expectation of compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage loan 22 or (b) holds himself or herself out as being able to make a residential mortgage loan or assist a person 23 in obtaining or applying to obtain a residential mortgage loan. Pursuant to WAC 208-660-006, a

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person "assists a person in obtaining or applying to obtain a residential mortgage loan' by, among 1 2 other things, counseling on loan terms (rates, fees, other costs), [and] preparing loan packages...."

2.2 Loan Originator Defined. Pursuant to RCW 19.146.010(11), "loan originator" means a 3 natural person who for direct or indirect compensation or gain, or in the expectation of direct or 4 5 indirect compensation or gain: takes a residential mortgage loan application for a mortgage broker; 6 offers or negotiates terms of a mortgage loan; or holds themselves out to the public as able to perform 7 any of these activities.

2.3 8 **Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents 9 are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or deceptive practice 10 toward any person and obtaining property by fraud or misrepresentation.

2.4 11 Requirement to Obtain and Maintain Mortgage Broker License. Based on the Factual 12 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1) 13 for engaging in the business of a mortgage broker for Washington residents or property without first 14 obtaining a license to do so.

15 2.5 Requirement to Obtain and Maintain Loan Originator License. Based on the Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1) 16 17 for engaging in the business of a loan originator without first obtaining and maintaining a license.

18 2.6 **Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW 19 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a 20 location that is on file with and readily available to the Department until at least twenty-five months have elapsed following the effective period to which the books and records relate.

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STATEMENT OF CHARGES

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III. AUTHORITY TO IMPOSE SANCTIONS

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

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

9 **3.3** Authority to Order Restitution. Pursuant to RCW 19.146.220(2), the Director may order
10 restitution against any person subject to the Act for any violation of the Act.

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

3.5 Authority to Collect Investigation Fee. Pursuant to RCW 19.146.228(2), and WAC 208-

660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time devoted to an investigation of any person subject to the Act.

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IV. NOTICE OF INTENT TO ENTER ORDER

Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as

18 || set forth above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,

and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

4.1 Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos cease and desist engaging in the business of a mortgage broker or loan originator.

4.2 Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos be prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director for a period of five years.

4.3 Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos jointly and severally pay restitution to the consumers identified by the Department in

STATEMENT OF CHARGES

paragraph 1.2 in the amount set forth therein, and that Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos 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.

- **4.4** Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos jointly and severally pay a fine, which as of the date of this Statement of Charges totals \$39,000.
- **4.5** Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos jointly and severally pay an investigation fee, which as of the date of this Statement of Charges totals \$912.

4.6 Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondents Integrity Mortgage and Credit Solutions, Inc., Lisa M. Morgan, and Matt E. Moskos's provision of residential mortgage loan modification services in Washington, and the name, address and telephone number of the individual responsible for maintenance of such records in compliance with the Act.

V. AUTHORITY AND PROCEDURE

This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW

19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05

RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as

set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING

accompanying this Statement of Charges.

Dated this 25th day of March, 2013.

<u>/s/</u>____

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

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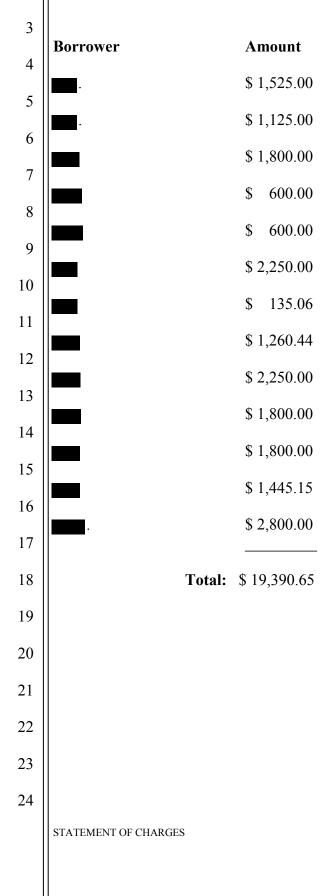
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2	Presented by:		
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4	<u>/s/</u> KENNETH J. SUGIMOTO	-	
5	Financial Legal Examiner		
6	Approved by:		
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8	<u>/s/</u> CHARLES E. CLARK	-	
9	Enforcement Chief		
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	STATEMENT OF CHARGES	6	DEPART

APPENDIX – RESTITUTION



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