

# Terms Completed

## ORDER SUMMARY – Case Number: C-12-1074

**Name(s):** Residential Mortgage LLC

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**Order Number:** C-12-1074-12-CO01

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**Effective Date:** 10/17/2012

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**License Number:** NMLS 167729

**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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:** None

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**Not Apply Until:** N/A

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**Not Eligible Until:** N/A

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

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<b>Investigation Costs</b>	\$2,500	Due NOW	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 10/17/2012
<b>Fine</b>	\$125,000	Due NOW	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 10/17/2012
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input 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:				

**Comments:**

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1 **AGREEMENT AND ORDER**

2 The Department and Respondent have agreed upon a basis for resolution of the violations of  
3 the Act identified in the foregoing Findings of Fact and Conclusions of Law. Pursuant to chapter  
4 31.04 RCW and RCW 34.05.060, Respondent and the Department agree to entry of this Consent  
5 Order and further agree that the matters alleged herein may be economically and efficiently settled by  
6 the entry of this Consent Order. Respondent neither admits nor denies the foregoing Findings of Fact  
7 and Conclusions of Law.

8 Based upon the foregoing:

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

11 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has to a hearing  
12 and any and all administrative and judicial review of the issues raised in this matter, or the resolution  
13 reached herein.

14 **C. Consumer Loan License Required.** Respondent was licensed by the Department to conduct  
15 business as a mortgage broker in accordance with chapter 19.146 RCW, the Mortgage Broker  
16 Practices Act, on or about July 20, 2009, and continues to be a licensed mortgage broker to date.  
17 Respondent asserts it believed residential mortgage loans secured by real property located in the state  
18 of Washington were authorized under Respondent's mortgage broker license. It is AGREED that  
19 Respondent now understands that in order to make loans to Washington state residents, Respondent  
20 must obtain a consumer loan license in accordance with the Act from the Department or qualify for  
21 an exemption from licensing as delineated in the Act. It is further AGREED that, on or about August  
22 31, 2012, Respondent provided the Department with assurance that Respondent would not accept any  
23 new applications for residential mortgage loans secured by real property located in the state of

1 Washington until such time as Respondent obtains a license in accordance with the Act from the  
2 Department. It is further AGREED that, except as previously approved in writing by the Department,  
3 Respondent shall not make loans to Washington state residents until such time as Respondent obtains  
4 a consumer loan license in accordance with the Act from the Department or qualifies for an  
5 exemption from licensing as delineated in the Act.

6 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of  
7 \$125,000 in the form of a wire transfer or a cashier's check made payable to the "Washington State  
8 Treasurer" upon entry of this Consent Order.

9 **E. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the  
10 Department in the amount of \$2,500 in the form of a wire transfer or a cashier's check made payable  
11 to the "Washington State Treasurer" upon entry of this Consent Order. The Fine and Investigation  
12 Fee may be paid together in one \$127,500 wire transfer or cashier's check made payable to the  
13 "Washington State Treasurer."

14 **F. Records Retention.** It is AGREED that Respondent, its officers, employees, and agents shall  
15 maintain records in compliance with the Act and provide the Director with the location of the books,  
16 records and other information relating to Respondent's consumer loan business conducted prior to  
17 licensure, and the name, address, and telephone number of the individual responsible for maintenance  
18 of such records in compliance with the Act.

19 **G. Application for Consumer Loan License.** It is AGREED that the entry of this Consent  
20 Order will not preclude Respondent from obtaining a consumer loan license pursuant to Respondent's  
21 pending consumer loan license application with the Department, submitted to the Department on or  
22 about August 31, 2012. It is further AGREED that upon payment to the Department of the sums  
23 required under paragraphs D and E of this Consent Order, SO LONG AS all requirements under

chapter 31.04 RCW and 208-620 WAC are satisfactorily met and the application is complete as determined by the Department, the Department will process Respondent's pending consumer loan license application in due course. Respondent will be timely notified of any additional licensing requirements.

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

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

**J. Completely Read, Understood, and Agreed.** It is AGREED that Respondent's Authorized Representative has read this Consent Order in its entirety and fully understands and agrees to all of the same.

**K. Authority to Execute Order.** It is AGREED that the undersigned Authorized Representative has represented and warranted that he has the full power and right to execute this Consent Order on behalf of Respondent.

**RESPONDENT:  
Residential Mortgage, LLC**

By:

/s/  
Steven R. Aldrich  
Authorized Representative

10/12/2012  
Date

/s/  
Gary M. Fallon, WSBA No. 13009  
Hillis Clark Martin & Peterson P.S.  
Attorney for Respondent

10/15/2012  
Date

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 17<sup>th</sup> DAY OF October, 2012

/s/ \_\_\_\_\_  
DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

/s/ \_\_\_\_\_  
Mark T. Olson  
Financial Legal Examiner

Approved by:

/s/ \_\_\_\_\_  
Charles E. Clark  
Enforcement Chief