

## ORDER SUMMARY – Case Number: C-13-1142

**Name(s):** Brandon J. Buck ;  
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 \_\_\_\_\_

**Order Number:** C-13-1142-13-CO01  
 \_\_\_\_\_

**Effective Date:** May 28, 2013  
 \_\_\_\_\_

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**Or NMLS Identifier [U/L]** (Revoked, suspended, stayed, application denied or withdrawn)  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

**Not Eligible Until:**  
 \_\_\_\_\_

**Prohibition/Ban Until:** Permanent  
 \_\_\_\_\_

<b>Investigation Costs</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<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>	\$	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:** Buck is permanently banned from MB industry.  
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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:

No.: C-13-1142-13-CO01

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ATLANTIC MUTUAL, LLC;  
BRIAN CORREA, Managing Member;  
BROOKE ERRETT, Managing Member; and  
BRANDON BUCK, Unlicensed Loan Originator,

CONSENT ORDER AS TO  
BRANDON BUCK

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his  
designee Deborah Bortner, Division Director, Division of Consumer Services, and Brandon Buck  
(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-13-1142-13-SC01 (Statement of Charges), entered March 21, 2013, (copy attached hereto)  
solely as related to Respondent Buck. 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, solely as related to Respondent Buck, 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 solely as related to Respondent Buck.

CONSENT ORDER  
C-13-1142-13-CO01  
BRANDON BUCK

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

1 Based upon the foregoing:

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

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

9 C. **No Admission of Liability.** The parties intend this Consent Order to fully resolve the  
10 Statement of Charges and agree that Respondent does not admit to any wrongdoing by its entry.

11 D. **Prohibition from Industry.** It is AGREED that Respondent is permanently prohibited  
12 from participating, in any capacity, in the conduct of the affairs of any mortgage broker licensed by  
13 the Department or subject to licensure or regulation by the Department.

14 E. **Declaration of Financial Condition.** It is AGREED that Respondent has provided the  
15 Department with a Declaration comprehensively describing his current financial condition and  
16 representing his current inability to pay the fine and investigation fee sought in the Statement of  
17 Charges.

18 F. **Rights of Non-Parties.** It is AGREED that the Department does not represent or have the  
19 consent of any person or entity not a party to this Consent Order to take any action concerning their  
20 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent  
21 Order, this Consent Order does not limit or create any private rights or remedies against Respondent,  
22 limit or create liability of Respondent, or limit or create defenses of Respondent to any claims.

23 G. **Complete Cooperation with the Department (Statements).** It is AGREED that  
24 Respondent has provided the Department a truthful and complete sworn statement outlining his

1 activities with respect to Atlantic Mutual, LLC (Atlantic Mutual) and any and all persons involved or  
2 in any way associated with Atlantic Mutual, including but not limited to owners, employees,  
3 independent contractors, agents, businesses and persons with whom Atlantic Mutual dealt,  
4 communicated, or otherwise related. A failure to cooperate fully, truthfully, and completely is a  
5 breach of this Consent Order.

6 **H. Complete Cooperation with the Department.** In addition to providing the sworn  
7 statements as described in Paragraph G, it is AGREED that, upon written request by the Department,  
8 Respondent shall cooperate fully, truthfully, and completely with the Department and provide any  
9 and all information known to him relating in any manner to Atlantic Mutual and any and all persons  
10 involved or in any way associated with Atlantic Mutual, including but not limited to owners,  
11 employees, independent contractors, agents, businesses and persons with whom Atlantic Mutual  
12 dealt, communicated, or otherwise related. It is further AGREED that, upon written request by the  
13 Department, Respondent shall provide any and all documents, writings or materials, or objects or  
14 things of any kind in his possession or under his care, custody, or control that he is authorized to  
15 possess, obtain, or distribute relating directly or indirectly to all areas of inquiry and investigation. It  
16 is further AGREED that Respondent shall testify fully, truthfully, and completely at any and all  
17 proceedings related to any Department investigation or enforcement action or both related to any and  
18 all persons involved or in any way associated with Atlantic Mutual, and any Respondents named  
19 therein. A failure to cooperate fully, truthfully, and completely is a breach of this Consent Order.

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

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

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

5 **RESPONDENT:**

6 [Redacted]

7 Brandon Buck

5/24/2013

Date

9 DO NOT WRITE BELOW THIS LINE

10 THIS ORDER ENTERED THIS 28<sup>th</sup> DAY OF May, 2013.

11 [Redacted]

12  
13 DEBORAH BORTNER  
14 Director  
15 Division of Consumer Services  
16 Department of Financial Institutions

16 Presented by:

17 [Redacted]

18 DEVON P. PHELPS  
19 Financial Legal Examiner

20 Approved by:

21 [Redacted]

22 CHARLES E. CLARK  
23 Enforcement Chief





1 were delivered. The documents sent by First-Class mail were not returned to the Department by the  
2 United States Postal Service.

3 Respondents Atlantic Mutual and Errett did not request an adjudicative hearing within twenty  
4 calendar days after the Department served the Notice of Opportunity to Defend and Opportunity for  
5 Hearing, as provided for in WAC 208-08-050(2).

6 B. Record Presented. The record presented to the Director's designee for her review and  
7 for entry of a final decision included the following: Statement of Charges, cover letter dated March  
8 28, 2013, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for  
9 Adjudicative Hearing for Respondents, with documentation for service.

10 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the  
11 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

## 12 II. FINAL ORDER

13 Based upon the foregoing, and the Director's designee having considered the record and being  
14 otherwise fully advised, NOW, THEREFORE:

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondents Atlantic Mutual, LLC and Brooke Errett cease and desist from  
17 engaging in the business of a mortgage broker or loan originator.
- 18 2. Respondents Atlantic Mutual, LLC and Brooke Errett are prohibited from  
19 participation in the conduct of the affairs of any mortgage broker subject to  
20 licensure by the Director, in any manner, for a period of five years.
- 21 3. Respondents Atlantic Mutual, LLC and Brooke Errett pay \$995 in restitution to the  
22 consumer identified by the Department in paragraph 1.2 of the Statement of  
23 Charges. This restitution shall be joint and several with any other Respondents  
24 determined to have violated the Act
4. Respondents Atlantic Mutual, LLC and Brooke Errett pay a fine of \$3,000. This  
fine shall be joint and several with any other Respondents determined to have  
violated the Act.

1 5. Respondents Atlantic Mutual, LLC and Brooke Errett pay an investigation fee of  
2 \$552. This amount shall be joint and several with any other Respondents  
determined to have violated the Act.

3 6. Respondents Atlantic Mutual, LLC and Brooke Errett maintain records in  
4 compliance with the Mortgage Broker Practices Act (Act) and provide the  
5 Department with the location of the books, records and other information relating  
6 to Respondents' 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.

7 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents Atlantic Mutual and  
8 Errett have the right to file a Petition for Reconsideration stating the specific grounds upon which  
9 relief is requested. The Petition must be filed in the Office of the Director of the Department of  
10 Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S.  
11 Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the  
12 Final Order upon Respondents Atlantic Mutual and Errett. The Petition for Reconsideration shall not  
13 stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking  
14 judicial review in this matter.

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

18 C. Stay of Order. The Director's designee has determined not to consider a Petition to  
19 Stay the effectiveness of this order. Any such requests should be made in connection with a Petition  
20 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

21 D. Judicial Review. Respondents Atlantic Mutual and Errett have the right to petition the  
22 superior court for judicial review of this agency action under the provisions of chapter 34.05 RCW.  
23 For the requirements for filing a Petition for Judicial Review, see RCW 34.05.510 and sections  
24 following.



1 E. Non-compliance with Order. If Respondents Atlantic Mutual and Errett do not  
2 comply with the terms of this order, **including payment of any amounts owed within 30 days of**  
3 **receipt of this order**, the Department may seek its enforcement by the Office of the Attorney  
4 General to include the collection of the restitution, fines, and fees imposed herein. The Department  
5 also may assign the amounts owed to a collection agency for collection.

6 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
7 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
8 attached hereto.

9 DATED this 26<sup>th</sup> day of April, 2013.



11 STATE OF WASHINGTON  
12 DEPARTMENT OF FINANCIAL INSTITUTIONS

13 [Redacted Signature]  
14 DEBORAH BORTNER  
15 Director  
16 Division of Consumer Services

1 **STATE OF WASHINGTON**  
2 **DEPARTMENT OF FINANCIAL INSTITUTIONS**  
3 **DIVISION OF CONSUMER SERVICES**

4 IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

5 ATLANTIC MUTUAL, LLC;  
6 BRIAN CORREA, Managing Member;  
7 BROOKE ERRETT, Managing Member; and  
BRANDON BUCK, Unlicensed Loan Originator,

Respondents.

No. C-13-1142-13-SC01

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

8  
9 **INTRODUCTION**

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  
13 to RCW 19.146.235, and based upon the facts available as of the date of this Statement of Charges, the  
14 Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes  
15 this proceeding and finds as follows:

16 **I. FACTUAL ALLEGATIONS**

17 **1.1 Respondents.**

18 **A. Atlantic Mutual, LLC (Respondent Atlantic Mutual)** has never been licensed by the  
19 Department of Financial Institutions of the State of Washington (Department) to conduct business as a  
20 mortgage broker.

21 **B. Brian Correa (Respondent Correa)** is a managing member of Atlantic Mutual. During  
22 the relevant time period, Respondent Correa was not licensed by the Department to conduct business  
23 as a mortgage broker or loan originator.



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

3 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11), “loan originator” means a  
4 natural person who for direct or indirect compensation or gain, or in the expectation of direct or  
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.

8 **2.3 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.

11 **2.4 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  
16 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)  
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  
21 have elapsed following the effective period to which the books and records relate.

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1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the  
3 Director may issue orders directing any person subject to the Act to cease and desist from conducting  
4 business.

5 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may  
6 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker  
7 any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9) or  
8 (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.

11 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
12 against any person subject to the Act for any violation of the Act.

13 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), and WAC 208-  
14 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner’s time devoted  
15 to an investigation of any person subject to the Act.

16 **IV. NOTICE OF INTENT TO ENTER ORDER**

17 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,  
19 and RCW 19.146.223. Therefore, it is the Director’s intent to ORDER that:

20 **4.1** Respondents cease and desist engaging in the business of a mortgage broker or loan originator.

21 **4.2** Respondents be prohibited from participation, in any manner, in the conduct of the affairs of  
22 any mortgage broker subject to licensure by the Director for a period of five years.

23 **4.3** Respondents jointly and severally pay restitution to the one consumer identified by the  
24 Department in paragraph 1.2 in the amount set forth therein, and that Respondents 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

1 located in the state of Washington equal to the amount collected from that Washington  
2 consumer for those services in an amount to be determined at hearing.

3 **4.4** Respondents jointly and severally pay a fine, which as of the date of this Statement of Charges  
4 totals \$3,000.

5 **4.5** Respondents jointly and severally pay an investigation fee, which as of the date of this  
6 Statement of Charges totals \$552.

7 **4.6** Respondents maintain records in compliance with the Act and provide the Department with the  
8 location of the books, records and other information relating to Respondents' provision of  
9 residential mortgage loan modification services in Washington, and the name, address and  
10 telephone number of the individual responsible for maintenance of such records in compliance  
11 with the Act.

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