

ORDER SUMMARY – Case Number: C-13-1262

Name(s): Gary John Eyring

Order Number: C-13-1262-13-CO01

Effective Date: July 15, 2013

License Number: N/A NMLS ID: 1045389
Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)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: July 16, 2018

Not Eligible Until: N/A

Prohibition/Ban Until: July 16, 2018

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

Comments: No money settlement with Eyring; see case C-11-0757

RECEIVED
RECEPTION

JUL 15 2013

RECEIVED

JUL 15 2013

DEPT. OF FINANCIAL INSTITUTIONS
OLYMPIA, WASHINGTON

STATE OF WASHINGTON

DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

Enforcement Unit
Division of Consumer Services
Dept. of Financial Institutions

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

No. C-13-1262-13-CO01

CONSENT ORDER

GARY JOHN EYRING,

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Gary John Eyring (Respondent), by and through his attorney, Seth A. Rosenberg, 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:

FINDINGS OF FACT

1.1 Respondent Gary John Eyring (Respondent Eyring) is a member of Strategic Debt Resolutions, LLCs. During the relevant time period, Respondent Eyring was not licensed by the Department to conduct business as a mortgage broker or mortgage loan originator.

1.2 Unlicensed Activity. Beginning on or about April 1, 2013, Respondent Eyring was offering to and performing residential mortgage loan modification services for at least one Washington consumers on property located in Washington State. In addition, Respondent Eyring solicited compensation from at least one existing client of Strategic Debt Resolutions, LLC, in an attempt to collect a fee for the provision of those services. The Department received at least two complaints in May, 2013, alleging Respondent Eyring, through Strategic Debt Resolutions, LLC, was performing or offering to perform residential mortgage loan modification services.

CONSENT ORDER
C-13-1262-13-CO01
Gary John Eyring

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

1 **CONCLUSIONS OF LAW**

2 **2.1** Based on the above Findings of Fact, Respondent Eyring is in apparent violation of RCW
3 19.146.200(1) for engaging in the business of a mortgage broker or mortgage loan originator for
4 Washington consumers or property located in Washington State without first obtaining a license to
5 do so.

6 **AGREEMENT AND ORDER**

7 The Department of Financial Institutions, Division of Consumer Services (Department) and
8 Respondent have agreed upon a basis for resolution of matters alleged in the foregoing Findings of
9 Fact and Conclusions of Law. Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act
10 (Act), and RCW 34.05.060 of the Administrative Procedures Act, Respondent hereby agrees to the
11 Department's entry of this Consent Order.

12 Based upon the foregoing:

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

15 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a
16 hearing before an administrative law judge, and hereby waives his right to a hearing and to any and
17 all administrative and judicial review of the issues raised in this matter or of the resolution reached
18 herein.

19 **C. Admission.** Respondent admits that holding out, advertising, or performing residential
20 mortgage loan modification services for consumers or real property located in Washington State
21 requires licensure by the Department, including a mortgage broker or consumer loan company
22 license for the sponsoring entity, and a mortgage loan originator license for the person performing
23 the services. With these exceptions, it is AGREED that Respondent neither admits nor denies the
24 foregoing Findings of Fact. It is further AGREED that Respondent will not take any action or make

1 or permit to be made any public statement creating the impression that this Consent Order is without
2 factual basis. Nothing in this paragraph affects Respondent's testimonial obligations or right to take
3 legal or factual positions in defense of litigation.

4 **D. Cease and Desist.** Pursuant to RCW 19.146.220(4), the Director may issue an Order
5 directing any person subject to the Act to cease and desist from conducting business. Accordingly, it
6 is AGREED and ORDERED that:

- 7 1. Respondent immediately and permanently cease and desist from performing, or
8 offering to perform, residential mortgage loan modification services for which
9 licensure is required by the Director for consumers or real property located in
10 Washington State.
- 11 2. Respondent immediately and permanently close Strategic Debt Resolutions, LLC,
12 and notify the Department of Revenue and the Secretary of State of the closure of
13 the businesses.
- 14 3. Respondent immediately and permanently shut down and deactivate any
15 telephone numbers associated with Strategic Debt Resolutions, LLC.
- 16 4. Respondent immediately and permanently shut down and deactivate the Internet
17 website www.strategicloanmods.com, and any other form of advertising that
18 holds out Respondent's ability to perform residential mortgage loan modification
19 services for consumers or real property located in Washington State.
- 20 5. Respondent immediately and permanently cease and desist from performing
21 residential mortgage loan modification services for which licensure is required by
22 the Director for, or soliciting compensation from, any existing residential
23 mortgage loan modification clients of Strategic Debt Resolutions, LLC.
- 24 6. Respondent, in responding to inquiries from any existing or prospective
residential mortgage loan modification client, advise that consumer of the
existence of this Consent Order, the Cease and Desist provision of this Consent
Order, the closure of Strategic Debt Resolutions, LLC, and the prohibition against
Respondent from applying for a license to conduct business as a mortgage broker,
consumer loan company, or mortgage loan originator for five years.

22 **E. Prohibition From Industry.** Pursuant to RCW 19.146.220(5), the Director may issue an
23 Order prohibiting a person subject to the Act to cease and desist from participation in affairs of a
24 licensed mortgage broker for certain violations of the Act. Accordingly, it is AGREED and

ORDERED that, for a period of five years from the date of entry of this Consent Order, Respondent

1 Gary John Eyring is prohibited from participating in the conduct of the affairs of any mortgage
2 broker licensed by the Department or subject to licensure or regulation by the Department, in any
3 capacity, including but not limited to: (1) as mortgage loan originator; (2) as an officer, director,
4 principal, partner, LLC member, or employee; (3) in any financial capacity whether active or
5 passive; (4) in any position involving management, control, or maintenance of any trust account
6 related to any residential mortgage transaction; or (5) in any position receiving, disbursing, or
7 managing consumer trust funds related to any residential mortgage transaction.

8 **F. Agreement Not To Apply.** It is AGREED and ORDERED that for a period of five years
9 from the date of entry of this Consent Order, Respondent Gary John Eyring shall not apply to the
10 Department for a license to conduct business as a mortgage broker, consumer loan company, or
11 mortgage loan originator.

12 **G. Future Applications for Licensure.** It is AGREED and ORDERED that should
13 Respondent apply to the Department in the future for a mortgage broker, consumer loan company, or
14 mortgage loan originator license, or any other license issued by the Department, Respondent shall be
15 required to meet any and all application and licensure requirements in effect at that time, and comply
16 with the statutory provisions and rules governing that license then existing and as amended.

17 **H. Change of Address.** It is AGREED that for a period of five years from the date of entry
18 of this Consent Order, unless otherwise agreed to in writing by the Department, Respondent Gary
19 John Eyring shall provide the Department with a current mailing address and telephone number at
20 which he can be contacted, and shall notify the Department in writing of any changes to his mailing
21 address or telephone number within fifteen days of any such change

22 **I. Authority of Department.** It is AGREED that the Director has the power and broad
23 administrative discretion to interpret the provisions of the Act to rules regulating the conduct of
24 mortgage brokers and loan originators to promote honesty and fair dealing with citizens, and to

1 preserve public confidence in the lending and real estate community. It is further AGREED that
2 nothing in this Consent Order shall be construed as preventing the Department from fully exercising
3 its authority under the Act to investigate and prosecute future violations of the Act or this Consent
4 Order by Respondent.

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

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

13 **RESPONDENT:**

14 [Redacted]

15 Gary John Eyring, Individually

Date 7/2/13

16 APPROVED AS TO FORM

17 [Redacted]

18 Seth A. Rosenberg, WSBA No. 41660
19 The Rosenberg Law Group, PLLC
20 Attorneys for Respondent Gary John Eyring

Date 7/2/13

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DO NOT WRITE BELOW THIS LINE

1 THIS ORDER ENTERED THIS 15th DAY OF July, 2013.



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3
4 DEBORAH BORTNER
5 Director, Division of Consumer Services
6 Department of Financial Institutions

7 Presented by:



8
9 ANTHONY W. CARTER
10 Senior Enforcement Attorney

11 Approved by:



12
13 CHARLES E. CLARK
14 Enforcement Chief