

ORDER SUMMARY – Case Number: C-13-1264

Name(s): Vickie An Le

Order Number: C-13-1264-13-FO01

Effective Date: November 20, 2013

License Number: DFI: 47159 NMLS ID: 273198
Or NMLS Identifier [U/L]
License Effect: MBPA MLO application denied.

Not Apply Until: November 20, 2018

Not Eligible Until: November 20, 2018

Prohibition/Ban Until: November 20, 2018

Investigation Costs	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
	No. of Victims:	NA		

Comments: Vickie An Le's application for a license to conduct the business of a loan originator is denied. Vickie An Le is prohibited from participating in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, for a period of five (5) years.

1
2
3
4
5
6
7
8

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

No.: C-13-1264-13-FO01

FINAL ORDER

VICKIE AN LE,
NMLS# 273198

Respondent.

I. DIRECTOR'S CONSIDERATION

A. Default. 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 October 22, 2013, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Deny License and Prohibit From Industry (Statement of Charges) against Vickie An Le (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 October 22, 2013, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On October 22, 2013, the Department served Respondent Vickie An Le with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On October 23, 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.

1 Respondent Vickie An Le did not request an adjudicative hearing within twenty calendar days
2 after the Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as
3 provided for in WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for her review and
5 for entry of a final decision included the following:

- 6 1. Statement of Charges, cover letter dated October 22, 2013, Notice of Opportunity
7 to Defend and Opportunity for Hearing, and blank Application for Adjudicative
Hearing for Respondent, with documentation for service.
- 8 2. Post Office Address Verification Request form completed by the Bellevue Branch
9 Office of the United States Post Office received by the Department on September
11, 2013.

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. Respondent Vickie An Le's application for a license to conduct the business of a
17 loan originator is denied.
- 18 2. Respondent Vickie An Le is prohibited from participation in the conduct of the
19 affairs of any mortgage broker subject to licensure by the Director, in any manner,
for a period of five (5) years.

20 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent Vickie An Le has the right
21 to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The
22 Petition must be filed in the Office of the Director of the Department of Financial Institutions by
23 courier at 150 Israel Road SW, Tumwater, Washington, 98501, or by U.S. Mail at P.O. Box 41200,
24 Olympia, Washington, 98504-1200, within ten (10) days of service of the Final Order upon

1 Respondent Vickie An Le. The Petition for Reconsideration shall not stay the effectiveness of this
2 order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

9 D. Judicial Review. Respondent Vickie An Le has the right to petition the superior court
10 for judicial review of this agency action under the provisions of chapter 34.05 RCW. For the
11 requirements for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

12 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
13 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
14 attached hereto.

15 DATED this 30th day of November, 2013.



17 STATE OF WASHINGTON
18 DEPARTMENT OF FINANCIAL INSTITUTIONS

19 
20 DEBORAH BORTNER
21 Director
22 Division of Consumer Services

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING
the Loan Originator License Application under
the Mortgage Broker Practices Act of Washington
by:

VICKIE AN LE,
NMLS #273198

Respondent.

No. C-13-1264-13-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO DENY LICENSE AND
PROHIBIT FROM INDUSTRY

INTRODUCTION

Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial Institutions of the State of Washington (the Director) is responsible for the administration of chapter 19.146 RCW, the Mortgage Broker Practices Act (the Act). After having conducted an investigation pursuant to RCW 19.146.210 and RCW 19.146.310, and based upon the facts available as of 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 Vickie An Le (Respondent) submitted an application to the Department of Financial Institutions of the State of Washington (the Department) for a license to conduct the business of a loan originator. The license application was received by the Department, through the Nationwide Mortgage Licensing System and Registry (NMLS), on or about April 11, 2013.

1.2 Prior Administrative Action and License Revocation. On November 17, 2010, the Department entered Final Order C-09-137-10-FO01 revoking Respondent's license to conduct business as a check seller/check casher with a small loan endorsement.

1 **1.3 False Statements and Omissions of Material Facts on License Application.** Respondent
2 submitted information on-line through the NMLS MU4 filings on or about April 11, 2013, to apply
3 for her loan originator license. Respondent was obligated by statute to provide the Department with
4 an accurate and complete license application, including answering questions on the MU4 filings
5 truthfully. Respondent answered "No" to the following questions in the "Regulatory Action"
6 disclosure section of her MU4 filing:

- 7 • (K) Has any State or federal regulatory agency or foreign financial regulatory authority or
8 self-regulatory organization (SRO) ever:
- 9 • (2) found you to have been involved in a violation of a financial services-related business
10 regulation(s) or statutes(s)?
- 11 • (3) found you to have been a cause of a financial services-related business having its
12 authorization to do business denied, suspended, revoked or restricted?
- 13 • (4) entered into an order against you in connection with a financial services-related activity?
- 14 • (5) revoked your registration or license?
- 15 • (6) denied or suspended your registration or license or application for licensure, disciplined
16 you, or otherwise by order, prevented you from associating with a financial services-related
17 business or restricted your activities?
- 18 • (7) barred you from association with an entity regulated by such commissions, authority,
19 agency, or officer, or from engaging in a financial services-related business?
- 20 • (8) issued a final order against you based on violations of any law or regulations that prohibit
21 fraudulent, manipulative, or deceptive conduct?
- 22 • (9) entered an order concerning you in connection with any license or registration?

23 Based on Final Order C-09-137-10-FO01, Respondent should have answered "Yes" to each of the
24 above-listed questions. The MU4 filings contained an oath by Respondent that the information and
statements were "current, true, accurate and complete."

1 **1.4 Character and General Fitness.** Respondent has not demonstrated character and general
2 fitness as evidenced by Respondent's false statements on her application.

3 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
4 Act by Respondent continues to date.

5 **II. GROUNDS FOR ENTRY OF ORDER**

6 **2.1 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondent
7 is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(h) for negligently making
8 any false statement or knowingly and willfully making an omission of material fact in connection
9 with any reports filed by a mortgage broker or in connection with any investigation conducted by the
10 Department. Pursuant to RCW 19.146.310 and WAC 208-660-520, the Department's evaluation of
11 the licensing qualifications of persons subject to the Act is an investigation.

12 **2.2 Requirement to Provide Information on License Application.** Based on the Factual
13 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
14 19.146.300(1) & (2) and RCW 19.146.310(1)(b) by failing to provide an accurate and complete
15 license application in the form prescribed by the Director.

16 **2.3 Requirement to Demonstrate Character and General Fitness.** Based on Factual
17 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
18 19.146.310(1)(g) and WAC 208-660-350(2) by failing to demonstrate character and general fitness
19 such as to command the confidence of the community and to warrant a belief that the business will be
20 operated honestly, fairly, and efficiently within the purposes of the Act.

21 **2.4 Requirement of No Prior License Suspension or Revocation.** Based on the Factual
22 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
23

1 19.146.310(1)(c) by having ever had a license issued under the Act or any similar state statute
2 revoked.

3 **III. AUTHORITY TO IMPOSE SANCTIONS**

4 **3.1 Authority to Deny Application Loan Originator License.** Pursuant to RCW

5 19.146.220(2)(b), the Director may deny licenses to loan originators for false statements or omission
6 of material information on the application that, if known, would have allowed the Director to deny
7 the application for the original license. Pursuant to RCW 19.146.210(2), if the Director does not find
8 the conditions of RCW 19.146.210(1) have been met, the Director shall not issue the loan originator
9 license and shall notify the loan originator applicant of the denial.

10 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may

11 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker
12 or any person subject to licensing under the Act for any violations of RCW 19.146.0201(1) - (9).

13 **IV. NOTICE OF INTENTION TO ENTER ORDER**

14 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,
15 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
16 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,
17 RCW 19.146.223, and RCW 19.146.310. Therefore, it is the Director's intention to ORDER that:

18 **4.1** Respondent Vickie An Le's application for a license to conduct the business of a loan
19 originator be denied.

20 **4.2** Respondent Vickie An Le be prohibited from participation in the conduct of the affairs
21 of any mortgage broker subject to licensure by the Director, in any manner, for a
22 period of five (5) years.

23 //

24 //

//

//

//

//

1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW
3 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter
4 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a
5 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR
6 HEARING accompanying this Statement of Charges.

7 Dated this 22nd day of October, 2013.



8 [Redacted Signature]
9
10 DEBORAH BORTNER
11 Director
12 Division of Consumer Services
13 Department of Financial Institutions

14 Presented by:

15 [Redacted Name]

16 BARBARA PENTTILA
17 Enforcement Attorney

18 Approved by:

19 [Redacted Signature]

20 STEVEN C. SHERMAN
21 Supervising Enforcement Attorney