

**ORDER SUMMARY – Case Number: C-16-2024**

**Name(s):** Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
 d/b/a Core Advisory Group  
 Devin D. Benter a/k/a David Clarke  
 Brian Boozer

**Order Number:** C-16-2024-21-FO01

**Effective Date:** 2/23/2021

**License Number:** U/L Benter/Clark NMLS ID 1004388; U/L Boozer NMLS ID 2123404; Entity NMLS ID 2123444

**Or NMLS Identifier [U/L]**

**License Effect:**

**Not Apply Until:**

**Not Eligible Until:**

**Prohibition/Ban Until:** Permanent

<b>Investigation Costs</b>	\$2,000		Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Fine</b>	\$20,250	Due 30 days	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$14,448	Due 30 days	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:	2		

**Comments:**

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:

No.: C-16-2024-21-FO01

5 CORE ADVISORY GROUP SVCS, LLC D/B/A  
CORE ADVISORY GROUP SVCS D/B/A  
6 CORE ADVISORY GROUP;  
DEVIN D. BENTER A/K/A DAVID CLARKE,  
7 Owner; and  
BRIAN BOOZER,

FINAL ORDER

8 Respondents.

9  
10 I. DIRECTOR'S CONSIDERATION

11 A. Default. This matter has come before the Director of the Department of Financial  
12 Institutions of the State of Washington (Director), through his designee, Consumer Services Division  
13 Director Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On December 10,  
14 2020, the Director, through the Director's designee, issued a Statement of Charges and Notice of  
15 Intention to Enter an Order to Cease and Desist Business, Prohibit from Industry, Order Restitution,  
16 Impose Fine, Collect Investigation Fee, and Recover Costs and Expenses (Statement of Charges)  
17 against Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a Core Advisory  
18 Group (Respondent Core), Devin D. Benter a/k/a David Clarke (Respondent Benter), and Brian  
19 Boozer (Respondent Boozer). A copy of the Statement of Charges is attached and incorporated into  
20 this order by this reference. The Statement of Charges was accompanied by a cover letter dated  
21 December 31, 2020, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank  
22 Applications for Adjudicative Hearing for all Respondents (collectively, accompanying documents).

1 On December 31, 2020, the Department served Respondent Core, Respondent Benter, and  
2 Respondent Boozer with the Statement of Charges and accompanying documents by First-Class mail  
3 and Federal Express overnight delivery.

4 On January 4, 2021, the documents sent by Federal Express overnight Delivery to Respondent  
5 Boozer were delivered. The documents sent by First-Class mail to Respondent Boozer were not  
6 returned to the Department. However, the Department received information that the Statement of  
7 Charges and accompanying documents were not received by Respondent Boozer.

8 On January 14, 2021, the documents sent by Federal Express overnight delivery to  
9 Respondent Core and Respondent Benter were returned to the Department as undeliverable. The  
10 documents sent by First-Class mail to Respondent Core and Respondent Benter were returned to the  
11 Department as undeliverable.

12 On January 26, 2021, the Department served the Statement of Charges, a cover letter dated  
13 January 26, 2021, and accompanying documents on Respondent Boozer by sending the documents to  
14 1621 21<sup>st</sup> St, Bakersfield, CA, 93301-3907 (Bakersfield, CA address) by First-Class mail and Federal  
15 Express overnight delivery. Federal Express attempted delivery of the documents, without success,  
16 on January 27, 2021. However, the documents sent via First-Class mail were not returned to the  
17 Department by the United States Postal Service. On February 4, 2021, after prior failed service  
18 attempts on Respondent Boozer, the Department received confirmation from the Bakersfield Branch  
19 Office of the United States Post Office that mail addressed to Respondent Boozer was being  
20 delivered to Respondent Boozer at the Bakersfield, CA address.

21 On January 26, 2021, the Department served the Statement of Charges, a cover letter dated  
22 January 26, 2021, and accompanying documents on Respondent Core and Respondent Benter by  
23 sending the documents to 15455 Spectrum, Irvine, CA, 92618 (Irvine, CA address) by First-Class

1 mail and Federal Express overnight delivery. Federal Express attempted delivery of the documents,  
2 without success, on January 27, 2021, January 28, 2021, and January 29, 2021. However, the  
3 documents sent via First-Class mail were not returned to the Department by the United States Postal  
4 Service. On February 9, 2021, after prior failed service attempts on Respondent Core and  
5 Respondent Benter, the Department received confirmation from the Irvine Branch Office of the  
6 United States Post Office that mail addressed to Respondent Benter was being delivered to the Irvine,  
7 CA address. Further, Respondent Benter's counsel for Department's case number C-14-1577,  
8 confirmed the Irvine, CA address as Respondent Benter's current address as required by the Consent  
9 Orders entered in that matter.

10 Respondent Core, Respondent Benter, and Respondent Boozer did not request an adjudicative  
11 hearing within twenty calendar days after the Department served the Notice of Opportunity to Defend  
12 and Opportunity for Hearing, as provided for in WAC 208-08-050(2).

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

- 15 1. Statement of Charges, cover letters dated December 31, 2020, and January 26,  
16 2021, Notice of Opportunity to Defend and Opportunity for Hearing, and blank  
17 Applications for Adjudicative Hearing for all Respondents, with documentation  
18 for service.
- 19 2. Post Office Address Verification Request form completed by the Bakersfield  
20 Branch Office of the United States Post Office received by the Department on  
21 February 2, 2021.
- 22 3. Post Office Address Verification Request form completed by the Irvine Branch  
23 Office of the United States Post Office received by the Department on February 9,  
24 2021.
- 24 4. E-mail from Respondent Benter's counsel for Department's case number C-14-  
1577, confirming the Irvine, CA address, received by the Department on January  
19, 2021.

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

3 II. FINAL ORDER

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

6 A. IT IS HEREBY ORDERED, That:

- 7 1. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
8 d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
9 Boozer cease and desist engaging in the business of a mortgage broker or loan  
10 originator.
- 11 2. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
12 d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
13 Boozer are prohibited from participation, in any manner in the conduct of the  
14 affairs of any mortgage broker subject to licensure by the Director.
- 15 3. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
16 d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
17 Boozer jointly and severally pay restitution of \$14,448 to the consumers identified  
18 in Appendix A to the Statement of Charges.
- 19 4. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
20 d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
21 Boozer jointly and severally pay a fine of \$20,250.
- 22 5. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
23 d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
24 Boozer jointly and severally pay an investigation fee of \$2,000.
6. Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs  
d/b/a Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian  
Boozer maintain records in compliance with chapter 19.146 RCW, the Mortgage  
Broker Practices Act (Act) and provide the Director with the location of the books,  
records, and other information relating 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.

1           B.     Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a  
2 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
3 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
4 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
5 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The  
6 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
7 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

14           D.     Judicial Review. Respondents have the right to petition the superior court for judicial  
15 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for  
16 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

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

1 F. Service. 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.

4 DATED this 23rd day of February, 2021.

6 STATE OF WASHINGTON  
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

8  
9 /s/  
10 \_\_\_\_\_  
LUCINDA FAZIO, Director  
11 Division of Consumer Services

**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:  
  
CORE ADVISORY GROUP SVCS, LLC D/B/A  
CORE ADVISORY GROUP SVCS D/B/A  
CORE ADVISORY GROUP;  
DEVIN D. BENTER A/K/A DAVID CLARKE,  
Owner; and  
BRIAN BOOZER;

No. C-16-2024-20-SC01

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

Respondents.

**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 (Director) is responsible for the administration of chapter 19.146 RCW, the Mortgage Broker Practices Act (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 Director, through his designee, Division of Consumer Services Director Lucinda Fazio, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

**A. Respondent Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a Core Advisory Group (Respondent Core)** has never been licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker.



1           **B.     Respondent Devin D. Benter a/k/a David Clarke (Respondent Benter)** was the  
2 owner of Respondent Core at all times relevant to this Statement of Charges. During the relevant time  
3 period, Respondent Benter was not licensed by the Department to conduct business as a mortgage  
4 broker or loan originator.

5           **C.     Respondent Brian Boozer (Respondent Boozer)** was an employee of Respondent  
6 Core. During the relevant time period, Respondent Boozer was not licensed by the Department to  
7 conduct business as a mortgage broker or loan originator.

8 **1.2     Unlicensed Activity.** Between at least September 2015 and May 2017, Respondents Core,  
9 Benter, and Boozer (hereafter Respondents) were offering residential mortgage loan modification  
10 services to Washington consumers on real property located in Washington State. Respondents agreed  
11 to provide residential mortgage loan modification services to at least two Washington consumers and  
12 collected an advance fee for the provision of those services. The Department has received at least two  
13 complaints from Washington consumers alleging Respondents provided or offered to provide  
14 residential mortgage loan modification services while not licensed by the Department to provide those  
15 services. A list of Washington consumers with whom Respondents conducted business as a mortgage  
16 broker or loan originator, and the amount paid by each is appended hereto and incorporated herein by  
17 reference.

18 **1.3     Misrepresentations and Omissions.** Respondents represented that they were licensed to  
19 provide the residential mortgage loan modification services or omitted disclosing that they were not  
20 licensed to provide those services.

21 **1.4     False Statements to the Department.** On or about October 12, 2016, Respondents provided a  
22 partial subpoena response to the Department whereby they indicated they had not provided loan  
23

1 modification services to Washington consumers. However, as of September 15, 2015, Respondents  
2 had provided loan modification services to at least two Washington consumers.

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

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

6 **2.1 Mortgage Broker Defined.** Pursuant to RCW 19.146.010(14), "Mortgage broker" means any  
7 person who for direct or indirect compensation or gain, or in the expectation of direct or indirect  
8 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage loan  
9 or performs residential mortgage loan modification services or (b) holds himself or herself out as being  
10 able to assist a person in obtaining or applying to obtain a residential mortgage loan or provide  
11 residential mortgage loan modification services.

12 **2.2 Loan Originator Defined.** Pursuant to RCW 19.146.010(11)(b), "Loan originator" means a  
13 natural person who for direct or indirect compensation or gain or in the expectation of direct or  
14 indirect compensation or gain performs residential mortgage loan modification services or holds  
15 himself or herself out as being able to perform residential mortgage loan modification services.

16 **2.3 Prohibited Acts.** Based upon the Factual Allegations set forth in Section I above,  
17 Respondents are in apparent violation of RCW 19.146.0201(2) & (3) for engaging in an unfair or  
18 deceptive practice toward any person and obtaining property by fraud or misrepresentation.

19 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based upon the Factual  
20 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)  
21 for engaging in the business of a mortgage broker for Washington residents or property without first  
22 obtaining a license to do so.

1 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based upon the Factual  
2 Allegations set forth in Section I above, Respondents Benter and Boozer are in apparent violation of  
3 RCW 19.146.200(1) for engaging in the business of a loan originator without first obtaining and  
4 maintaining a license.

5 **2.6 Prohibition against Taking Advance Fees.** Based upon the Factual Allegations set forth in  
6 Section I above, Respondents are in apparent violation of RCW 19.146.0201(11) and 12 CFR 1015  
7 (Regulation O) for taking advance fees for loan modification services.

8 **2.7 False Statements.** Based upon the Factual Allegations set forth in Section I above,  
9 Respondents are in apparent violation of RCW 19.146.0201(8) for making a false statement in  
10 connection with an investigation conducted by the Department.

11 **2.8 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW  
12 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a  
13 location that is on file with and readily available to the Department until at least three years have  
14 elapsed following the effective period to which the books and records relate.

### 15 III. AUTHORITY TO IMPOSE SANCTIONS

16 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(3), the  
17 Director may issue orders directing any person subject to the Act to cease and desist from conducting  
18 business.

19 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(4), the Director may  
20 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker  
21 any person subject to licensing under the Act for any violation of the Act.

22 **3.3 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may order  
23 restitution against any person subject to the Act for any violation of the Act.

1 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
2 against any person subject to the Act for any violation of the Act.

3 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-660-  
4 550(4)(a), the Department will charge \$48 per hour for an examiner's time devoted to an investigation  
5 of any person subject to the Act.

6 **3.6 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director  
7 may recover the state's costs and expenses for prosecuting violations of the Act.

#### 8 **IV. NOTICE OF INTENT TO ENTER ORDER**

9 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as  
10 set forth above constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221,  
11 and RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

12 **4.1** Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
13 Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer cease  
and desist engaging in the business of a mortgage broker or loan originator.

14 **4.2** Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
15 Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer be  
16 prohibited from participation, in any manner, in the conduct of the affairs of any  
mortgage broker subject to licensure by the Director.

17 **4.3** Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
18 Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer provide a  
19 complete list of all Washington consumers with whom Respondents entered into a  
contract for residential mortgage loan modification services related to real property or  
consumers located in the state of Washington, and the amount Respondents collected  
from each Washington consumer for those services.

20 **4.4** Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
21 Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer jointly  
22 and severally pay restitution to the consumers identified in Appendix A to this  
Statement of Charges in the amount set forth therein, and that Respondents jointly and  
23 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.

- 1           **4.5**    Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
2                            Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer jointly  
3                            and severally pay a fine, which as of the date of this Statement of Charges totals  
4                            \$20,250.
- 5           **4.6**    Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
6                            Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer jointly  
7                            and severally pay an investigation fee, which as of the date of this Statement of Charges  
8                            totals \$2,000.
- 9           **4.7**    Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
10                            Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer maintain  
11                            records in compliance with the Act and provide the Department with the location of the  
12                            books, records and other information relating to Respondents’ provision of residential  
13                            mortgage loan modification services in Washington, and the name, address and  
14                            telephone number of the individual responsible for maintenance of such records in  
15                            compliance with the Act.
- 16           **4.8**    Respondents Core Advisory Group Svcs, LLC d/b/a Core Advisory Group Svcs d/b/a  
17                            Core Advisory Group, Devin D. Benter a/k/a David Clarke, and Brian Boozer pay the  
18                            Department’s costs and expenses for prosecuting violations of the Act in an amount to  
19                            be determined at hearing or by Declaration with supporting documentation in event of  
20                            default by Respondents.

21 //  
22 //  
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 34.05  
4 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as  
5 set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND  
6 accompanying this Statement of Charges.

7  
8 Dated this 10th day of DECEMBER, 2020.

9  
10 /s/  
11 LUCINDA FAZIO, Director  
12 Division of Consumer Services  
13 Department of Financial Institutions

14 Presented by:

15 /s/  
16 AMANDA B. STARNES  
17 Financial Legal Examiner

18 Approved by:

19 /s/  
20 STEVEN C. SHERMAN  
21 Enforcement Chief

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  
5 Mortgage Broker Practices Act of Washington by:

No. C-16-2024-20-SC01

APPENDIX A

6 CORE ADVISORY GROUP SVCS, LLC D/B/A  
CORE ADVISORY GROUP SVCS D/B/A  
7 CORE ADVISORY GROUP;  
DEVIN D. BENTER A/K/A DAVID CLARKE,  
Owner; and  
8 BRIAN BOOZER;

Respondents.

9  
10 **APPENDIX A**

11 <b>Consumer</b>	<b>Amount</b>
12 C.T.	\$8,173.00
13 B.T.	\$6,275.00