

ORDER SUMMARY – Case Number: C-16-2046

Name(s): Christopher Douglas Hess

Order Number: C-16-2046-18-FO01

Effective Date: March 2, 2018

License Number: #1355262
Or NMLS Identifier [U/L] _____

License Effect: Revoked

Not Apply Until: _____

Not Eligible Until: _____

Prohibition/Ban Until: Permanent Ban

Investigation Costs	\$ 414.00	Due 4/2/2018	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$ 800.00	Due 4/2/2018	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Cost of Prosecution	\$ 13,296.91	Due 4/2/2018	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	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: _____



State of Washington
DEPARTMENT OF FINANCIAL INSTITUTIONS

IN THE MATTER OF DETERMINING
Whether There Has Been a Violation of the
Consumer Loan Act of Washington By:

CHRISTOPHER DOUGLAS HESS, NMLS
#135562,

Respondent.

NO. C-16-2046-18-FO01

OAH No. 02-2017-DFI-00023

CORRECTED
FINAL DECISION & ORDER

THIS MATTER has come before GLORIA PAPIEZ, Director (“Director”) of the WASHINGTON STATE DEPARTMENT OF FINANCIAL INSTITUTIONS (“Department”), pursuant to a Petition for Review (“Petition for Review”) by CHRISTOPHER DOUGLAS HESS (“Respondent”)¹ of the Findings of Fact,² Conclusions of Law,³ and Initial Order (“Initial Order”) by Administrative Law Judge T.J. Martin of the Office of Administrative Hearings (“ALJ Martin”). In response to the Petition for Review, the Department’s Division of Consumer Services (“Division”), by and through Assistant Attorney General Jong M. Lee (“AAG Lee”), has lodged a Reply to the Petition for Review (“Reply to Petition”).

The Final Decision & Order dated February 28, 2018 is corrected only to state the correct Department case number.

¹ National Multistate Licensing System (“NMLS”) identification number is 135562 (“NMLS #135562”).

² References to specific Findings of Fact of the Initial Order are denoted “FOF.”

³ References to specific Conclusions of Law of the Initial Order are denoted “COL.”

NOW, THEREFORE, having taken into consideration the entire record on review, including, without limitation, the Initial Order, the Petition for Review, and the Reply to Petition (collectively, the “Record on Review”), the Director issues the following Final Decision and Order:

1.0 SUMMARY OF THE CASE⁴

Respondent, a Department-licensed mortgage loan officer, admitted making fifty untruthful and deceptive alterations to a Washington State borrower’s bank-statement information over a three-hour period, whereupon he then permitted his deceptive handiwork to be made part of a residential mortgage loan application involving a borrower known as “KP,”⁵ which was then submitted to processing system of United Mortgage, LLC (“United Mortgage”), Respondent’s employer, and permitted by Respondent to be forwarded to Flagstar Bank (“Flagstar”) as lender. Evidence other than these admissions is also substantial. This was a deceptive act falling short of the standard of due care required of Respondent as a Department licensee. Respondent is accordingly in violation of the Washington Consumer Loan Act.⁶

2.0 DIRECTOR’S CONSIDERATION & DETERMINATION

2.1 Issues Raised in the Petition for Review. Respondent asserts the following issues by way of assigning error to the Initial Order:

2.1.1 No Need for a Hearing? Respondent goes to great length to argue that because he made an offer of settlement, this is a sufficient basis for declaring that there should have been no

⁴ This is not a substitute for the Findings of Fact or Conclusions of Law of the Initial Order, which the Director affirms except as set forth in *Subsections 4.1* of this Final Decision and Order.

⁵ The identity of the borrower, who is not a party to this matter, is set forth in *FOF 4.7* of the Initial Order.

⁶ RCW 31.04.027(2).

hearing. This is tantamount to declaring that the Division was required to accept Respondent's offer of settlement. However, the Division need *not* accept any offer of settlement by Respondent.

It could be inferred that Respondent's offer of settlement was unacceptable in some way, such as a desire by Respondent (if any) to omit any language ordering prohibition from participation in the mortgage industry of Washington State for a period of years. However, we need not speculate here.

An offer of settlement is in the nature of *settlement negotiations*. As a matter of law, evidence of settlement negotiations may be excluded either before the administrative law judge at hearing or before the Director on Petition for Review.⁷ Accordingly, the Director declines to consider Respondent's offer of settlement (if any) or the acts or omissions of the parties (if any) in relation to settlement negotiations. Respondent's question of whether there should have been a hearing is not a proper issue on petition for review. Whether the Division should have accepted *any* offer of settlement in this case is not properly before the Director and is, in any event, without merit.

2.1.2 Lack of Motive? Respondent assigns *reversible* error to ALJ Martin's statement in the Initial Order, at Paragraph 5.9, that Respondent had a motive for altering a borrower's bank statement to facilitate a closing, where the ALJ declares: "The Respondent did, in fact, have a motive, the earning of a commission for the transaction." While Respondent chooses to characterize his conduct in altering a bank statement as "a mistake" lacking motive (a dubious argument at best), it is irrelevant whether Respondent had a motive or not. The presence or lack of

⁷ While informal settlements are "highly encouraged" under the Administrative Procedures Act (RCW 34.05.060), the Director may decline to consider as *evidence* settlement negotiations insofar as they have been deemed inadmissible on "statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state." See *RCW 34.05.452(1)*. Settlement negotiations are generally inadmissible as evidence in the superior courts of the State of Washington. See *Washington Rule of Evidence 408 (ER 408)*; *State, Dept. of Ecology v. Tiger Oil Corp.*, 166 Wash.App. 720, 751, 271 P.3d 331, 345 (Div. 2 – 2012).

motive is a *red herring*. The issue is simply whether Respondent altered a bank statement. Respondent has admitted to having done so. Therefore, Respondent’s “lack of motive” argument is no ground for reversal of the Initial Order, and the Director is not inclined to modify ALJ Martin’s finding at Paragraph 5.9 of the Initial Order to accommodate a specious issue on petition for review.

2.1.3 Improper Exclusion of Exhibits? Respondent never responded to the Division’s objection to the admissibility of Respondent’s proposed exhibits B through H. Respondent made no offer of proof and failed to demonstrate the relevancy of those exhibits. ALJ Martin had the authority to make rulings on the admissibility or exclusion of proposed exhibits.⁸ Under the Washington Administrative Procedures Act, “[e]vidence . . . is admissible if in the judgment of the [ALJ] it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.”⁹ While this is more relaxed than the standard of admissibility in superior court,¹⁰ ALJ Martin had the authority to exclude evidence that was irrelevant, immaterial, or unduly repetitious.¹¹ Evidence is relevant if it has “any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.”¹² “Evidence is relevant if a logical nexus exists between the evidence and the fact to be established.”¹³ The plain meaning of “immaterial” is that which is “of no substantial consequence.”¹⁴

⁸ RCW 34.05.452; WAC 10-08-140(1).

⁹ RCW 34.05.452(1).

¹⁰ Washington Rule of Evidence 402 (ER 402).

¹¹ RCW 34.05.452(1).

¹² Washington Rule of Evidence 401 (ER 401).

¹³ *State v. Briejer*, 172 Wash.App. 209, 226, 289 P.3d 698 (2012), citing *State v. Burkins*, 94 Wash.App. 677, 692, 973 P.2d 15 (1999).

¹⁴ *Merriam-Webster’s Collegiate Dictionary* 578 (10th ed. 2011).

The Director concurs in ALJ Martin's apparent judgment that Respondent's proposed exhibits B through H have no logical nexus to whether Respondent falsified specific loan documents. ALJ Martin did not err in ruling that these proposed exhibits have no probative value as to whether it was more likely or less likely that Respondent's conduct violated the Washington Consumer Loan Act.

2.1.4 Exception to FOF 4.3 of the Initial Order: Does It Matter? Respondent argues that he was not a Department-licensed mortgage loan originator at the time of the hearing before ALJ Martin. This is a *non-issue*. What matters is whether Respondent's license had not yet been revoked and was in effect at the time of his unlawful activity. In addition, the Washington Consumer Loan Act confers upon the Director (and ALJ Martin, acting as a statutory agent for the Director) the authority to order that Respondent — having committed a deceptive act¹⁵ — be prohibited from participation in the affairs of any licensee or any other person subject to licensure under the Act.¹⁶ Accordingly, the Director acknowledges that while Respondent's license may at the time of hearing expired by its terms, such error by ALJ Martin is immaterial and has no bearing on the propriety of the Conclusions of Law and sanctions imposed in the Initial Order.

2.1.5 Exception to FOF 4.6 of the Initial Order: Does It Matter? ALJ Martin refers to a certain "call" to Gary Livengood, branch manager of United Mortgage, on February 18, 2016, in which Respondent communicated that he would be working from home. Respondent says this was a "text message" and not a "phone call." The distinction, while it may be technically accurate, is immaterial. The content of the communication, if not the medium in which it was communicated, is not in dispute. Accordingly, while the communication referred to in Paragraph 4.6 of the Initial

¹⁵ RCW 31.04.027.

¹⁶ RCW 31.0.093(6)(e).

Order may have been a “text” instead of a “phone call,” a correction to Paragraph 4.6 of the Initial Order to reflect this distinction would have absolutely no bearing on the outcome of this case.

2.1.6 FOF 4.7, 4.20, 4.21 and COL 5.9 and 5.11 of the Initial Order: Harmless Error?

ALJ Martin committed harmless error in declaring in FOF 4.7, 4.20, and 4.21 and in COL 5.9 and 5.11 of the Initial Order when stating that the altered bank statements were submitted to the National Multistate Licensing System (“NMLS”). This was a factual error made by ALJ Martin. Instead, Respondent sent altered bank statements through a loan-processing database that, in turn, forwarded the documents to the lender, Flagstar. This *corrected* finding of fact is supported by substantial evidence in the Record on Review.¹⁷ To further clarify the Findings of Fact and Conclusions of Law of the Initial Order, the Director takes official notice of the fact that NMLS is a government-sponsored but privately owned licensing database created by the Conference of State Bank Supervisors (“CSBS”) and the American Association of Residential Mortgage Regulators (“AARMR”). NMLS is, in turn, owned and operated by SRR, LLC, a Virginia limited liability company (“SRR”),¹⁸ which is wholly owned and operated by CSBS. The Department is a member of both CSBS and AARMR and a full participant in the multistate agreement, as between the members of CSBS, which maintains and operates SRR and the NMLS. The electronic records of Respondent’s licenses with the Department and other states (if any), and his status with Washington and other states (if any), including any sanctions imposed by this Final Decision and Order, are or will be reflected on the publicly accessible NMLS under Respondent’s name and by reference to his NMLS number, which is 135562.

¹⁷ See, for example, *Hearing Exhibit 4*.

¹⁸ “SRR” is derived from the words “State Regulatory Registry.”

2.1.7 FOF 4.20: Harmless Error? In its Reply to Petition, AAG Lee has conceded that Financial Legal Examiner Igor Voloshin was assigned to the investigation of this matter on April 11, 2017, not April 11, 2016. The Director has determined that this was likely a scrivener's mistake in the typing of the Initial Order and, in any event, harmless error. The Findings of Fact are *corrected* to reflect that Igor Voloshin was assigned the investigation of this matter on April 11, 2017.

2.1.8 Exception to FOF 4.10 and 4.11: Does It Matter? Respondent concedes that a clarification (if any) of the statements made in FOF 4.10 and 4.11 would have no bearing on whether a violation occurred or not. Respondent is correct. Any characterizations by ALJ Martin in FOF 4.10 and 4.11 that are not entirely accurate are harmless error. The Director is not inclined to disturb the language of FOF 4.10 and 4.11 to accommodate Respondent's perceptions.

2.1.9 Should FOF 4.13 Be Disturbed? Substantial evidence in the Record on Review supports FOF 4.13 as written. What is particularly alarming to the Director, in reference to FOF 4.13, is Respondent's argument that the loan would have "died" if it did not finalize.¹⁹ The Record on Review does not support this argument, and the Director is disinclined to entertain argument not supported by either the Record on Review or reasonable inferences that can be derived from the Record on Review. The consideration of whether a loan "lives" or "dies" can never be a justification for altering bank statements in order to deceive a bank.

2.1.10 Should FOF 4.14 Be Disturbed? The Director is also disinclined to disturb the language of FOF 4.14. Respondent argues that he was willing to "recuse himself from a commission on this transaction."²⁰ The logical inference to be drawn from Respondent's argument

¹⁹ Petition for Review, p. 2.

²⁰ *Id.*

is that Respondent knew at the time of alteration that he stood to gain from his conduct, proceeded to engage in violating the law anyway, and then attempted to mollify his employer, United Mortgage, after the fact. The Director finds no reversible error in FOF 4.14 and will not disturb its language.

2.1.11 Exception to FOF 4.16: Does It Matter? There is substantial evidence in the Record on Review that United Mortgage, Respondent's employer, promptly reported the use of altered bank statements to the lender, Flagstar, to which they had been deceptively forwarded. However, it is well known in the mortgage industry and the Director takes official notice of the fact that financial institutions, such as Flagstar, have a duty under federal law to report suspicion of conduct of the type committed by Respondent here to the Financial Crimes Enforcement Network for evaluation and *possible* referral to the U.S. Department of Justice. It is possible that United Mortgage waited until May 5, 2016, to file a complaint with the Department because it believed that, after notifying Flagstar, the bank would contact authorities as it is under a duty under federal law to do so. The Director will not speculate further on what may have prompted United Mortgage to wait from February 18, 2016, the date of Respondent's deceptive conduct, until May 5, 2016 (a period of only 77 days), to file a complaint against Respondent with the Department. The fact that this was not "immediate," as opposed to *merely* "prompt," is immaterial to the fact that Respondent violated the Washington Consumer Loan Act. The Director will not disturb the language of FOF 4.16 as written.

2.1.12 Is the Exception to FOF 4.29 and 4.31 Supported by the Record on Review? FOF 4.29 is corrected to the extent that the Record on Review establishes that Respondent submitted the altered bank statements to United Mortgage through its loan origination system and

email rather than directly forwarding them to Flagstar, and that United Mortgage forwarded the altered bank statements on to Flagstar. Other than that, the Director will not disturb FOF 4.29 and 4.31, because they are supported by the Record on Review. A preponderance of the evidence presented in this case supports ALJ Martin finding that Respondent did not “mistakenly” or “accidentally” submit the altered bank statements. Indeed, a preponderance of the evidence supports ALJ Martin’s finding that Respondent made over fifty alterations to the bank statement entries. Indeed, Respondent admitted during his own testimony that the alteration took approximately three hours of concerted effort.

2.2 Director’s Deliberation — Conclusion. Based on the Director’s consideration of the Record on Review, including deliberation of the Petition for Review and the Reply to Petition as set forth in Subsection 2.1 above, the Director finds no merit to the Petition for Review. All of Respondent’s asserted “exceptions” to the Initial Order are either wrong or harmless error by ALJ Martin. With the exception of the minor clarifications and corrections made in Subsection 2.1 above, there is substantial evidence in the Record on Review to affirm the Initial Order.

In summation, Respondent makes a hardship plea based upon his status as a veteran and his modest financial standing. Respondent also tries to argue that the Department is “ganging up” on him.²¹

The Office of the Director has in a few cases over the years recognized genuine extenuating circumstances and true contrition on the part of certain respondents and accorded discretionary leniency. However, the facts of this case and the tone of Respondent’s argument are not deserving of leniency here.

²¹ Petition for Review, p. 4.

The Department has a solemn duty to the public and to financial institutions doing business in this state to protect them from blatantly deceptive acts and practices. Respondent's license with the Department was a privilege, not a right. It required a standard of care and honesty sorely lacking in Respondent from the facts established in this case, including Respondent's own admissions. The Director has a duty to enforce the Washington Consumer Loan Act in a fair and proportionate manner. Considering the seriousness of the conduct by Respondent, the Director finds that the sanctions sought by the Division and imposed by ALJ Martin in the Initial Order are both fair and proportionate to sanctions imposed in other adjudicative proceedings for conduct similar in nature. These sanctions ought not to be disturbed.

3.0 FINDINGS OF FACT & CONCLUSIONS OF LAW

For all of the reasons set forth in *Section 2.0* above, the Director makes the following Findings of Fact and Conclusions of Law:

3.1 Findings of Fact. The Findings of Fact of the Initial Order are affirmed and incorporated herein by this reference except to the extent of any enumerated clarifications and corrections set forth in *Subsection 2.1* above.

3.2 Conclusions of Law. The Conclusions of Law of the Initial Order are affirmed and incorporated herein by this reference.

4.0 **FINAL DECISION & ORDER**

The Director having made Findings of Fact and Conclusions of Law,

NOW, THEREFORE, IT IS HEREBY ORDERED:

4.1 **Petition Denied.** The Respondent's Petition for Review is *denied*;

4.2 **License Revoked.** The license of Respondent, CHRISTOPHER DOUGLAS HESS, NMLS #135562, pursuant to the Washington Consumer Loan Act, to the extent (if at all) it has not been terminated, is *revoked* in accordance with RCW 31.04.093(3)(b);

4.3 **Prohibition from Industry.** The Respondent, CHRISTOPHER DOUGLAS HESS, NMLS #135562, is *prohibited* from participation in the affairs of any licensee or any other person subject to licensure under the Washington Consumer Loan Act, in accordance with RCW 31.04.027;

4.4 **Fine Imposed.** The Respondent, CHRISTOPHER DOUGLAS HESS, NMLS #135562, is assessed and shall pay to the order of WASHINGTON STATE DEPARTMENT OF FINANCIAL INSTITUTIONS a *fine* in the amount of Eight Hundred Dollars (\$800.00), in accordance with RCW 31.04.093(4);

4.5 **Costs of Investigation Assessed.** The Respondent, CHRISTOPHER DOUGLAS HESS, NMLS #135562, is assessed and shall pay to the order of WASHINGTON STATE DEPARTMENT OF FINANCIAL INSTITUTIONS the *costs of investigation* in the amount of Four Hundred Fourteen (\$414.00), in accordance with RCW 31.04.145(3) and WAC 208-620-610(7); and

4.6 **Costs and Expenses of Prosecution Assessed.** The Respondent, CHRISTOPHER DOUGLAS HESS, NMLS #135562, shall pay to the order of WASHINGTON STATE

DEPARTMENT OF FINANCIAL INSTITUTIONS the *costs and expenses of prosecution* by the State of Washington of this matter in the amount of Thirteen Thousand two Hundred Ninety Six Dollars and Ninety-One Cents (\$13,296.91), in accordance with RCW 31.04.205(2).

5.0 RECONSIDERATION

Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of this Final Order upon Respondent. The Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter. A timely Petition for Reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on a petition.

6.0 STAY OF ORDER

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

7.0 JUDICIAL REVIEW

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

8.0 SERVICE

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

9.0 EFFECTIVENESS AND ENFORCEMENT OF FINAL ORDER

Pursuant to the Administrative Procedures Act, at RCW 34.05.473, this Final Decision and Order shall be effective immediately upon deposit in the United States Mail.

Dated at Tumwater, Washington, on this 2nd day of March, 2018.

**WASHINGTON STATE DEPARTMENT
OF FINANCIAL INSTITUTIONS**

By: /s/

Gloria Papiez, Director

NOTICE TO THE PARTIES

In accordance with RCW 34.05.470 and WAC 10-08-215, any Petition for Reconsideration of this FINAL DECISION & ORDER must be filed with the Director within ten (10) days of service of this FINAL DECISION & ORDER. It should be noted that Petitions for Reconsideration do not stay the effectiveness of said FINAL DECISION & ORDER. Judicial Review of this FINAL DECISION & ORDER is available to a party according to provisions set out in the Washington Administrative Procedure Act, RCW 34.05.570.

This is to certify that this FINAL DECISION & ORDER has been served upon the following parties on March 2, 2018, by depositing a copy of same in the United States mail, postage prepaid.

WASHINGTON STATE DEPARTMENT
OF FINANCIAL INSTITUTIONS

By: /s/
Susan Putzier
Executive Assistant to the Director

Mailed to the following:

Respondent:

CHRISTOPHER DOUGLAS HESS
313 Campbell Drive
Lawrence, Kansas 66049

Attorney for the Division:

JONG M. LEE, Esq.
Assistant Attorney General
OFFICE OF ATTORNEY GENERAL
P.O. Box 40100
Olympia, WA 98504-0100

1 borrower K.P. and submitted the altered bank statements for underwriting purposes on a Washington
2 State residential mortgage loan.

3 **1.3 Employment Termination.** On or about February 18, 2016, Respondent was terminated
4 from his employment with United Mortgage, LLC. The reason cited for termination by United
5 Mortgage, LLC, was “Fraud on paperwork.”

6 **1.4 On-Going Investigation.** The Department’s investigation into the alleged violations of the
7 Act by Respondent continues to date.

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

9 **2.1 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above,
10 Respondent is in apparent violation of RCW 31.04.027(2) for engaging in an unfair or deceptive
11 act or practice toward any person.

12 **III. AUTHORITY TO IMPOSE SANCTIONS**

13 **3.1 Authority to Revoke License.** Pursuant to RCW 31.04.093(3)(b), the Director may revoke a
14 license for violating any provision of the Act.

15 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 31.04.093(6), the Director may
16 issue an order prohibiting from participation in the affairs of any licensee or any other person subject
17 to the Act for a violation of RCW 31.04.027.

18 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of
19 up to one hundred dollars per day, per violation, upon the licensee, its employee or loan originator, or
20 any other person subject to the Act for any violation of the Act.

21 **3.4 Authority to Charge Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
22 610(7), every licensee investigated by the Director shall pay for the cost of the investigation,
23 calculated at the rate of \$69.01 per staff hour devoted to the investigation

1 **3.5 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2) the Director
2 may recover the state's costs and expenses for prosecuting violations of the Act.

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

4 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
5 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
6 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, and
7 RCW 31.04.205. Therefore, it is the Acting Director's intent to ORDER that:

- 8 **4.1** Respondent Christopher Douglas Hess's license to conduct the business mortgage loan
9 originator license be revoked.
- 10 **4.2** Respondent Christopher Douglas Hess be prohibited from participation in the
11 conduct of the affairs of any mortgage loan originator or consumer loan company
12 subject to licensure by the Director, in any manner, for a period of ten years.
- 13 **4.3** Respondent Christopher Douglas Hess pay a fine. As of the date of this Statement of
14 Charges, the fine totals \$800.
- 15 **4.4** Respondent Christopher Douglas Hess pay an investigation fee. As of the date of this
16 Statement of Charges, the investigation fee totals \$414.06.
- 17 **4.5** Respondent Christopher Douglas Hess pay the Department's costs and expenses for
18 prosecuting violations of the Act in an amount to be determined at hearing or by
19 declaration with supporting documentation in event of default by Respondent.

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