

ORDER SUMMARY – Case Number: C-17-2202

Name(s): James William Hurdle

Order Number: C-17-2202-19-CO01

Effective Date: 7/11/19

License Number: 136584
Or NMLS Identifier [U/L] _____

License Effect: N/A

Not Apply Until: _____

Not Eligible Until: _____

Prohibition/Ban Until: July 11, 2022

Investigation Costs	\$		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$ 2,500/ Stayed - \$2,000	Due \$500 due February 29, 2020	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Financial Literacy and Education	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Cost of Prosecution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

Comments: Fine amount of \$2,500 consists of a stayed amount of \$2,000; \$500 will be paid in equal monthly installments of \$50 until February 29, 2020.

1 **AGREEMENT AND ORDER**

2 The Department and Respondent have agreed upon a basis for resolution of the Findings of
3 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.04.093(7) and
4 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further
5 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
6 Consent Order.

7 Based upon the foregoing:

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

10 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right he has to a hearing
11 and any and all administrative and judicial review of the issues raised in this matter or the resolution
12 reached herein.

13 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the matters
14 alleged herein and agree that Respondent neither admits nor denies any wrongdoing by its entry.

15 **D. Prohibition.** It is AGREED that Respondent is prohibited from participating in the conduct
16 of the affairs of any mortgage broker or consumer loan company licensed by the Department for a
17 period of three years from the date of entry of this Consent Order. This prohibition only applies to
18 business activities occurring in Washington State.

19 **E. Fine and Stayed Amount.** It is AGREED that Respondent shall owe a Fine to the
20 Department in the amount of \$2,500, upon entry of this Consent Order. It is further AGREED that the
21 Department shall stay \$2,000 of the Fine for a period of three (3) years from the date of entry of this
22 Consent Order, at which point the stayed amount of the Fine shall be withdrawn, unless the stay is
23 lifted pursuant to paragraph F. The \$500 amount not stayed shall be paid pursuant to paragraph G.

1 **F. Lifting the Stay and Imposing the Stayed Fine.** It is AGREED that:

- 2 1. If the Department determines that Respondent has not complied with the terms of this
3 Consent Order to a degree sufficient to warrant imposition of a Stayed Fine, and the
4 Department accordingly seeks to lift the stay and impose the Stayed Fine set forth in
5 Paragraph E above, the Department will first notify Respondent in writing of its
6 determination.
- 7 2. The Department's notification will include:
- 8 a) A description of the alleged noncompliance;
 - 9 b) A statement that because of the noncompliance, the Department seeks to lift
10 the stay and impose the Stayed Fine;
 - 11 c) The opportunity for Respondent to contest the Department's determination of
12 noncompliance in an administrative hearing before an Administrative Law
13 Judge (ALJ) of the Office of Administrative Hearings (OAH); and
 - 14 d) A copy of this Consent Order. The notification and hearing process provided in
15 this Consent Order applies only to this Consent Order. It is solely provided in
16 the event Respondent chooses to contest the Department's determination of
17 noncompliance.
- 18 3. Respondent will be afforded twenty (20) business days from the date of receipt of the
19 Department's notification to submit a written request to the Department for an
20 administrative hearing to be held before an ALJ from the OAH.
- 21 4. Respondent, in addition to their request for hearing, may provide a written response to
22 include any information pertaining to the alleged noncompliance.
- 23 5. The scope and issues of the hearing are limited solely to whether or not Respondent is
24 in violation of the terms of this Consent Order to a degree sufficient to warrant
imposition of the Stayed Fine.
6. At the conclusion of the hearing, the ALJ will issue an initial decision. Either party
may file a Petition for Review with the Director of the Department.
7. If Respondent does not request the hearing within the stated time, the Department will
impose the Stayed Fine and pursue whatever action it deems necessary to enforce the
Stayed Fine.

22 **G. Payment of the Fine.** It is AGREED that Respondent shall pay the non-stayed portion of the
23 Fine of \$500 by paying equal installments of \$50 on a monthly basis until the sum has been

1 completely paid, with the first payment of \$50 to be received by the Department when Respondent
2 returns this Consent Order to the Department fully endorsed. Thereafter, each subsequent monthly
3 payment of \$50 must be received by the Department on or before the last day of each month a
4 payment is due, beginning June 30, 2019, until February 29, 2020. Each payment shall be in the form
5 of a cashier's check made payable to the "Washington State Treasurer." Respondent may, at any
6 time, pay the entire remaining balance of the sum owed to the Department. If Respondent's payments
7 are not timely and completely made as agreed, the Department may immediately refer amounts owed
8 to a collection agency without any further notice to Respondent.

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

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

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

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1 **RESPONDENT:**

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3 /s/
James William Hurdle
Mortgage Loan Originator

6-13-19
Date

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5 **DO NOT WRITE BELOW THIS LINE**

6 THIS ORDER ENTERED THIS 11th DAY OF July, 2019.

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8 /s/
RICHARD ST. ONGE
Acting Director
9 Division of Consumer Services Department
10 of Financial Institutions

11 Presented by:

12
13 /s/
BRETT CARNAHAN
14 Financial Legal Examiner

15 Approved by:

16 /s/
17 STEVEN C. SHERMAN
Enforcement Chief