

Terms Complete

ORDER SUMMARY – Case Number: C-17-2219

Name(s): Northwest Funding Group, Inc.
Stanton Taylor Berkey

Order Number: Consent Order No. C-17-2219-18-CO01

Effective Date: May 30, 2018

**License Number/
NMLS Identifier:** NMLS #101770 and NMLS # 104620

License Effect: STAYED for two years from the date of the entry of the CO

Not Apply Until: NA

Not Eligible Until: NA

Prohibition/Ban Until: STAYED for two years from the date of the entry of the CO

Investigation Costs:	\$1,480.80	Due: Upon entry of CO	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: May 30, 2018
Fine:	\$12,000	Due: Upon entry of CO & subsequent monthly payments	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: May 30, 2018, et al.

Comments: In addition to the financial obligations, Respondents must comply with the MBPA and the associated regulations found in chapter 208-660 WAC and submit to a compliance examination to be scheduled based upon the Department's availability between twelve and eighteen months from the date of the entry of this Consent Order.

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-17-2219-18-CO01

5 **CONSENT ORDER**

6 NORTHWEST FUNDING GROUP, INC.,
NMLS #101770, and
7 STANTON TAYLOR BERKEY, Owner,
Designated Broker, and Mortgage Loan
Originator, NMLS # 104620,

8 Respondents.

9 COMES NOW the Director of the Department of Financial Institutions (Director), through
10 her designee, Charles E. Clark, Division Director, Division of Consumer Services, and Northwest
11 Funding Group, Inc. (Respondent Northwest Funding Group) and Stanton Taylor Berkey
12 (Respondent Berkey), Owner, Designated Broker, and Mortgage Loan Originator of Respondent
13 Northwest Funding Group (collectively Respondents), and finding that the issues raised in the above-
14 captioned matter may be economically and efficiently settled, agree to the entry of this Consent
15 Order. This Consent Order is entered pursuant to chapter 19.146 of the Revised Code of Washington
16 (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based upon the following:

17 **AGREEMENT AND ORDER**

18 The Department of Financial Institutions, Division of Consumer Services, (Department) and
19 Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges
20 No. C-17-2219-18-SC01 (Statement of Charges), entered March 30, 2018, (copy attached hereto).
21 Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of
22 the Administrative Procedure Act, the parties hereby agree to the Department's entry of this Consent
23 Order and intend this Consent Order to fully resolve the Statement of Charges. Respondents are
agreeing to not contest the Statement of Charges in consideration of the terms of this Consent Order.

1 Based upon the foregoing:

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

4 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a
5 hearing before an administrative law judge, and hereby waive their right to a hearing and any and all
6 administrative and judicial review of the issues raised in this matter, or of the resolution reached
7 herein. Accordingly, Respondents, by the signatures of their representatives below, withdraw their
8 appeals to the Office of Administrative Hearings.

9 C. **Cease and Desist and Compliance with the Act.** It is AGREED that the Department
10 accepts Respondents' representation they have ceased and desisted from the alleged violations of the
11 Act enumerated in the Statement of Charges. It is FURTHER AGREED AND ORDERED that
12 Respondents shall henceforth comply with the Act and the associated regulations found in chapter
13 208-660 WAC.

14 D. **License Revocation.** It is AGREED that Respondents' license to conduct business in
15 Washington as mortgage brokers and that Respondent Berkey's license to conduct business in
16 Washington as a mortgage loan originator are subject to revocation by the Department. It is
17 FURTHER AGREED that the revocation of Respondents' mortgage broker license and Respondent
18 Berkey's mortgage loan originator license are STAYED contingent upon Respondents' compliance
19 with the terms of this Consent Order for a period of two years from the date of entry of this Consent
20 Order.

21 E. **Industry Ban.** It is AGREED that Respondents' participation in the conduct of the
22 affairs of mortgage brokers in Washington pursuant to licensure by the Director is subject to
23 prohibition by the Department. It is FURTHER AGREED that the prohibition of Respondents'

1 participation in the conduct of the affairs of mortgage brokers is STAYED (Stayed Ban) contingent
2 upon Respondents' compliance with the terms of this Consent Order for a period of two years from
3 the date of entry of this Consent Order.

4 **F. Fine.** It is AGREED AND ORDERED that Respondents shall pay the Department a Fine
5 in the amount of \$24,000, with \$12,000 of that amount paid pursuant to Paragraph G upon entry of
6 this Consent Order. The \$12,000 balance of the Fine shall be stayed for two years (Stayed Fine) from
7 the date of entry of this Consent Order contingent on Respondents' compliance with this Consent
8 Order. It is FURTHER AGREED that Respondents shall make the first \$6,000 installment of the
9 Fine Payments and the subsequent monthly Fine Payments, equal to at least \$500 per month, pursuant
10 to the terms of Paragraph G.

11 **G. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an
12 Investigation Fee in the amount of \$1,480.80 upon entry of this Consent Order. It is FURTHER
13 AGREED that the first installment of the Fine Payments of \$6,000 and the Investigation Fee shall be
14 paid together in one cashier's check in the amount of \$7,480.80, made payable to the "Washington
15 State Treasurer", upon entry of this Consent Order. It is FURTHER AGREED that Respondents
16 shall continue to make monthly Fine Payments in an amount equal to at least \$500, due the first day
17 of each month beginning on July 1, 2018, via cashier's checks made payable to the "Washington
18 State Treasurer", until the Fine is satisfied in full.

19 **H. Compliance Examination.** It is AGREED that:

- 20 1. Respondents shall be subject to at least one full scope examination by the Department
21 to determine compliance with this Consent Order. Such examination shall be
22 scheduled based upon the Department's availability between twelve and eighteen
23 months from the date of entry of this Consent Order.
- 24 2. If, within two years from the date of entry of this Consent Order, the Department
 elects to conduct an examination of Respondents for any reason other than to
 determine compliance with this Consent Order, the Department may elect to combine

1 such an examination with an examination to determine compliance with this Consent
2 Order.

- 3 3. Respondents shall pay all costs of the examinations authorized by WAC 208-660-
4 510(8).

4 I. **Lifting of Stays.** It is AGREED that:

- 5 1. If the Department determines Respondents have not complied with this Consent
6 Order and seeks to lift the stays and impose the stayed sanctions, the Department
7 will first serve Respondents with a written notice of noncompliance.

- 7 2. The notice of noncompliance will include:

8 a. A description of the alleged noncompliance;

9 b. A statement that the Department seeks to lift the stays and revoke
10 Respondents' mortgage broker license and Respondent Berkey's mortgage
11 loan originator license and impose the Stayed Ban and Stayed Fine;

11 c. Notice that Respondents can contest the allegations of noncompliance by
12 either requesting an adjudicative hearing in writing or by submitting a
13 written response to the allegations of noncompliance; and

13 d. Notice that the process for lifting the stays applies only to this Consent
14 Order.

- 15 3. Respondents will be afforded twenty business days from the date of service of the
16 notice of noncompliance to submit to the Department a written request for an
17 adjudicative hearing.

- 17 4. The scope and issues of the adjudicative hearing are limited solely to whether or not
18 Respondents failed to comply with the terms of this Consent Order.

- 18 5. At the conclusion of the adjudicative hearing the Administrative Law Judge will
19 issue an initial decision. Either party may subsequently file a Petition for Review
20 with the Director of the Department.

- 20 6. In lieu of requesting an adjudicative hearing, within twenty business days from the
21 date of service of the notice of noncompliance, Respondents may submit to the
22 Department's a written response to the allegations of noncompliance for
23 consideration by the Department. The response must include a waiver of the right
24 to an adjudicative hearing, may address the allegations of noncompliance, and may
seek an alternative resolution to lifting the stays and imposing the stayed sanctions.

1 7. **Default.** If Respondents do not timely request an adjudicative hearing or submit a
2 written response to the notice of noncompliance, the Department may lift the stays
3 and impose the stayed sanctions without further notice.

4 **J. Authority to Execute Order.** It is AGREED that the undersigned have represented and
5 warranted that they have the full power and right to execute this Consent Order on behalf of the
6 parties represented.

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

11 **L. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this
12 Consent Order, which is effective when signed by the Director's designee.

13 **M. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read
14 this Consent Order in its entirety and fully understand and agree to all of the same.

15 **N. Counterparts.** This Consent Order may be executed by the Respondents in any number
16 of counterparts, including by facsimile or e-mail of a .pdf or similar file, each of which shall be
17 deemed to be an original, but all of which, taken together, shall constitute one and the same Consent
18 Order.

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1 **RESPONDENTS:**

Northwest Funding Group, Inc.

2 By:

3 /s/ _____
4 Stanton Taylor Berkey
5 President

5-24-18 _____
Date

6 /s/ _____
7 Stanton Taylor Berkey
8 Individually

5/24/18 _____
Date

9 **DO NOT WRITE BELOW THIS LINE**

10 THIS ORDER ENTERED THIS 30th DAY OF May, 2018.

11
12 /s/ _____
13 CHARLES E. CLARK
14 Director
15 Division of Consumer Services
16 Department of Financial Institutions

17 Presented by:

18 /s/ _____
19 BARBARA PENTTILA
20 Financial Legal Examiner

21 Approved by:

22 /s/ _____
23 STEVEN C. SHERMAN
24 Enforcement Chief

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

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

NORTHWEST FUNDING GROUP, INC.,
NMLS #101770, and
STANTON TAYLOR BERKEY, Owner,
Designated Broker, and Mortgage Loan
Originator, NMLS # 104620,

Respondents.

No. C-17-2219-18-SC01

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

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 her designee, Division of Consumer Services Director
Charles E. Clark, institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondents.

A. **Northwest Funding Group, Inc. (Respondent Northwest Funding Group)** was
licensed by the Department of Financial Institutions of the State of Washington (Department) to
conduct business as a mortgage broker on or about January 13, 2005, and continues to be licensed to
date.

B. **Stanton Taylor Berkey (Respondent Berkey)** is the Owner and Designated Broker
of Respondent Northwest Funding Group. Respondent Berkey was named Designated Broker of

1 Respondent Northwest Funding Group on or about December 30, 2009, and continues to be the
2 Designated Broker to date. Respondent Berkey was licensed by the Department to conduct business
3 as a mortgage loan originator on or about December 30, 2009, and continues to be licensed to date.

4 **1.2 2015 Examination.** In April and May 2015, the Department conducted a compliance
5 examination of Respondents pursuant to the Act. The scope of the 2015 Examination included a
6 review of Respondents' loans originated between January 1, 2013, and March 31, 2015, and
7 Respondents' web advertisements online between April 21, 2015, and May 11, 2015. Based upon the
8 examination findings, the Department produced a Report of Examination (2015 ROE). In the 2015
9 ROE, the Department cited Respondents for the following violations:

- 10 A. Failing to display license numbers in advertisements;
- 11 B. Advertising rates or fees as "lowest" or "best";
- 12 C. Failing to provide timely Rate Lock Agreements;
- 13 D. Providing incomplete Rate Lock Agreements;
- 14 E. Providing inaccurate or incomplete Privacy Policy Disclosures;
- 15 F. Failing to provide Homeownership Counseling Lists; and
- 16 G. Failing to provide accurate Equal Credit Opportunity Act Notices.

17 The Department mailed a copy of the 2015 ROE to Respondents on or about June 1, 2015. In
18 response to the 2015 ROE, Respondents stated they had corrected the violations and taken steps to
19 prevent future violations.

20 **1.3 2017 Examination.** From April 17, 2017, through April 20, 2017, the Department conducted
21 an examination of Respondents' business practices for the period of July 1, 2015, through March 31,
22 2017. The Department reviewed forty-six loan accounts originated during the review period and
23 found violations of the Act, including, but not limited to, the violations set forth below.

1 **1.4 Failed to Include the Required Language in Advertisements.** In 2015 and 2016,
2 Respondents failed to display the Mortgage Loan Originator (MLO) license numbers closely
3 following the MLOs' names on at least four websites. In 2017, Respondents failed to display the
4 MLO license numbers closely following the MLOs' names or the company license number on at least
5 five websites. Respondents' websites also failed to provide a link to the NMLS consumer access web
6 site page for the company. This is a repeat violation from Respondents' 2015 examination, of which
7 they were previously notified.

8 **1.5 Advertised "Lowest" or "Best" Rates.** In 2017, Respondents advertised at
9 www.daniellavinder.vlending.com and www.criterionmtg.com that their loan programs, rates, and
10 fees were the "best." This is a repeat violation from Respondents' 2015 examination, of which they
11 were previously notified.

12 **1.6 Failed to Provide Rate Lock Agreements.** In at least ten of the loan files reviewed,
13 Respondents failed to provide the Rate Lock Agreements to the borrowers within three days of
14 locking, extending, or changing the customers' rate lock terms. This is a repeat violation from
15 Respondents' 2015 examination, of which they were previously notified.

16 **1.7 Failed to Provide Accurate and Complete Rate Lock Agreements.** In at least six of the
17 loan files reviewed, Respondents failed to provide accurate and complete Rate Lock Agreements to
18 the borrowers by failing to include the following information: indicate if the lock rate was
19 guaranteed; identify the accurate date of the rate lock, the number of days in the rate lock period, and
20 the expiration date of the rate lock; and disclose the adjustable rate terms. This is a repeat violation
21 from Respondents' 2015 examination, of which they were previously notified.

22 **1.8 Failed to Provide Accurate and Complete Privacy Policy Notices.** In at least forty-five of
23 the loan files reviewed, Respondents failed to provide complete and accurate Privacy Policy Notices
24 to the borrowers by failing to include the following information: the op-out options in the mail-in opt

1 out notices; the joint account holder statement in the mail-in opt out notice; the required statement
2 “How does Northwest Funding Group, Inc. collect my personal information”; and the section “What
3 happens when I limit sharing for an account I hold jointly with someone else.” This is a repeat
4 violation from Respondents’ 2015 examination, of which they were previously notified.

5 **1.9 Failed to Provide Homeownership Counseling Lists.** In at least two of the loan files
6 reviewed, Respondents failed to provide the Homeownership Counseling Lists to the borrowers
7 within three days of submitting their complete residential mortgage loan applications. This is a
8 repeat violation from Respondents’ 2015 examination, of which they were previously notified.

9 **1.10 Failed to Provide Accurate Equal Credit Opportunity Act Notices.** In at least twelve of
10 the loan files reviewed, Respondents provided inaccurate Equal Credit Opportunity Act Notices to
11 the borrowers, which incorrectly stated the regulatory oversight authority was with the Office of
12 Comptroller instead of the correct agency, the Federal Trade Commission. This is a repeat violation
13 from Respondents’ 2015 examination, of which they were previously notified.

14 **1.11 Provided Inapplicable Disclosures to the Borrowers.** In at least ten of the loan files
15 reviewed, Respondents provided inapplicable disclosures to the borrowers, including, but not limited
16 to, RESPA Servicing Disclosures, a RESPA Written List of Service Providers, an Oregon Escrow
17 Account Option Note, an Oregon Choice of Insurance Notice, and an Oregon Application Disclosure.
18 This is a repeat violation from Respondents’ 2015 examination, of which they were previously
19 notified.

20 **1.12 On-Going Investigation.** The Department’s investigation into the alleged violations of the
21 Act by Respondents continues to date.

22 II. GROUNDS FOR ENTRY OF ORDER

23 **2.1 Requirement to Refrain from Unfair and Deceptive Advertising.** Based on the Factual
24 Allegations set forth in Section I above, Respondents are in apparent violation of RCW

1 19.146.0201(2) and (7), WAC 208-660-440(7), and WAC 208-660-446(1), (3), and (4) for failing to
2 include the required language in their advertisements and for using the term “best” to describe loans
3 and rates.

4 **2.2 Responsibility for Conduct of Loan Originators.** Pursuant to RCW 19.146.245, a licensed
5 mortgage broker is liable for any conduct violating the Act by the designated broker or a loan
6 originator while employed or engaged by the licensed mortgage broker.

7 **2.3 Responsibility of Designated Broker.** Pursuant to RCW 19.146.200(3), every licensed
8 mortgage broker must at all times have a designated broker responsible for all activities of the
9 mortgage broker in conducting the business of a mortgage broker. A designated broker or owner who
10 has supervisory authority over a mortgage broker is responsible for a licensee’s, employee’s, or
11 independent contractor’s violations of the Act if the designated broker or owner: (a) directs or
12 instructs the conduct or, with knowledge of the specific conduct, approves or allows the conduct; (b)
13 or has supervisory authority over the licensed mortgage broker and knows or by the exercise of
14 reasonable care and inquiry should have known of the conduct, at a time when its consequences can
15 be avoided or mitigated and fails to take reasonable remedial action.

16 **2.4 Requirement to Provide Rate Lock Agreements.** Based on the Factual Allegations set
17 forth in Section I above, Respondents are in apparent violation of RCW 19.146.0201(2), RCW
18 19.146.030(2)(c), and WAC 208-660-430(3) and (6) for failing to provide Rate Lock Agreements to
19 at least ten borrowers within the required deadlines after locking the customers’ interest rates.

20 **2.5 Requirement to Provide Accurate and Complete Rate Lock Agreements.** Based on the
21 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW
22 19.146.0201(2), RCW 19.146.030(2)(c), and WAC 208-660-430(3) and (6) for failing to provide
23 accurate and complete Rate Lock Agreements to at least six borrowers.

1 **2.6 Requirement to Provide Accurate and Complete Privacy Policy Notices.** Based on the
2 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW
3 19.146.0201(2) and (11) and Regulation P, 12 CFR § 1016.4, including the Appendix, for failing to
4 provide accurate and complete Privacy Policy Notices to at least forty-five borrowers.

5 **2.7 Requirement to Provide Homeownership Counseling Lists.** Based on the Factual
6 Allegations set forth in Section I above, Respondents are in apparent violation of RCW
7 19.146.0201(2) and (11) and Regulation X, 12 CFR § 1024.20(a), for failing to provide
8 Homeownership Counseling Lists to at least two borrowers within three days of submitting their
9 complete residential mortgage loan applications.

10 **2.8 Requirement to Provide Accurate Equal Credit Opportunity Act Notices.** Based on the
11 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW
12 19.146.0201(2) and (11) and Regulation B, 12 CFR § 1002, for failing to provide accurate and
13 complete Equal Credit Opportunity Act Notices to at least twelve borrowers.

14 **2.9 Inapplicable Disclosures.** Based on the Factual Allegations set forth in Section I above,
15 Respondents are in apparent violation of RCW 19.146.0201(2) for directly or indirectly engaging in
16 any unfair or deceptive practice toward any person by notifying at least ten borrowers they may have
17 certain rights under RESPA and Oregon law.

18 **2.10 Requirement to Maintain Accurate and Current Books and Records.** Pursuant to RCW
19 19.146.060 and WAC 208-660-450, Respondents are required to keep all books and records in a
20 location that is on file with and readily available to the Department until at least three years have
21 elapsed following the effective period to which the books and records relate.

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1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Issue an Order to Cease and Desist or Take Affirmative Action.** Pursuant to
3 RCW 19.146.220(3), the Director may issue orders directing a licensee, its employee, loan originator,
4 independent contractor, agent, or other person subject to the Act to cease and desist from conducting
5 business or take such other affirmative action as is necessary to comply with this chapter.

6 **3.2 Authority to Suspend or Revoke Licenses.** Pursuant to RCW 19.146.220(2), the Director
7 may revoke or suspend licenses for any violation of the Act.

8 **3.3 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(4), the Director may
9 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a
10 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed
11 mortgage broker or any person subject to licensing under the Act for any violation of the Act.

12 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2) and (6) and WAC 208-660-
13 530(6), the Director may impose fines of up to one hundred dollars per day, per violation, against a
14 licensee or loan originator for any violation of the Act.

15 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-
16 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour
17 for an examiner’s time devoted to an investigation.

18 **3.6 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director
19 may recover the state’s costs and expenses for prosecuting violations of the Act.

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1 **IV. NOTICE OF INTENT TO ENTER ORDER**

2 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,
3 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
4 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, and
5 RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

- 6 **4.1** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey cease and
7 desist conducting business as a mortgage broker and loan originator.
- 8 **4.2** Respondents Northwest Funding Group, Inc.'s and Stanton Taylor Berkey' licenses to
9 conduct the business of a mortgage broker be revoked.
- 10 **4.3** Respondent Stanton Taylor Berkey's license to conduct the business of a loan
11 originator be revoked.
- 12 **4.4** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey be prohibited
13 from participation in the conduct of the affairs of any mortgage broker subject to
14 licensure by the Director, in any manner, for a period of five years.
- 15 **4.5** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey jointly and
16 severally pay a fine. As of the date of this Statement of Charges, the fine totals
17 \$48,000.
- 18 **4.6** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey jointly and
19 severally pay an investigation fee. As of the date of this Statement of Charges, the
20 investigation fee totals \$1,480.80.
- 21 **4.7** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey pay the
22 Department's costs and expenses for prosecuting violations of the Act in an amount to
23 be determined at hearing or by declaration with supporting documentation in event of
24 default by Respondents.
- 4.8** Respondents Northwest Funding Group, Inc. and Stanton Taylor Berkey maintain
records in compliance with the Act and provide the Department with the location of
the books, records and other information relating to Respondents' mortgage broker
business, and the name, address and telephone number of the individual responsible
for maintenance of such records in compliance with the Act.

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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). Respondents may make a written request for a
5 hearing as set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND
6 TO DEFEND accompanying this Statement of Charges.

7
8 Dated this 30th day of March, 2018.

9
10 /s/ _____
11 CHARLES E. CLARK
12 Director
13 Division of Consumer Services
14 Department of Financial Institutions

15 Presented by:

16 /s/ _____
17 BARBARA PENTTILA
18 Financial Legal Examiner

19 Approved by:

20 /s/ _____
21 STEVEN C. SHERMAN
22 Enforcement Chief