

ORDER SUMMARY – Case Number: C-17-2213

Name: Fred Boyd Ramey

Order Number: C-17-2357-18-FO01

Effective Date: 2/26/2018

License Number: 1575485
Or NMLS Identifier [U/L]

License Effect: Application Denied

Prohibition/Ban: From participation in the conduct of the affairs of any mortgage loan originator subject to licensure by the Director under the Consumer Loan Act and the Mortgage Broker Practices Act.

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

Comments:

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

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

No.: C-17-2357-18-FO01

FRED BOYD RAMEY,
NMLS ID # 1575485,

FINAL ORDER

Respondent.

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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 her designee, Consumer Services Division Director Charles E. Clark (Director's designee), pursuant to RCW 34.05.440(1). On January 11, 2018, the Director, through the Director's designee, issued a Statement of Charges, Notice of Intent to Enter an Order to Deny Application for License, Prohibit from the Industry, and Recover Costs and Expenses for Prosecution (Statement of Charges) against Fred Boyd Ramey (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 January 12, 2018, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On January 12, 2018, the Department served Respondent with the Statement of Charges and accompanying documents by United States Postal Service First-Class mail and by Federal Express overnight delivery. On January 13, 2018, 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 did not request an adjudicative hearing within twenty calendar days after the
2 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided
3 for in WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for his review and
5 for entry of a final decision included the following: Statement of Charges, cover letter dated January
6 12, 2018, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
7 Adjudicative Hearing for Respondent, with documentation for service.

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

10 II. FINAL ORDER

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

13 A. IT IS HEREBY ORDERED, That:

- 14 1. Respondent Fred Boyd Ramey's application for a mortgage loan originator
15 license is denied.
- 16 2. Respondent Fred Boyd Ramey is prohibited from participation in the conduct of
17 the affairs of any mortgage loan originator subject to licensure by the Director
under chapter 31.04 and chapter 19.146, in any manner.

18 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
19 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
20 must be filed in the Office of the Director of the Department of Financial Institutions by courier at
21 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
22 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
23 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
24 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

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

13 DATED this 26th day of February, 2018.

14 STATE OF WASHINGTON
15 DEPARTMENT OF FINANCIAL INSTITUTIONS

16 /s/
17 CHARLES E. CLARK
18 Director
19 Division of Consumer Services

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

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

FRED BOYD RAMEY,
NMLS ID #1575485,

Respondent.

No.: C-17-2357-18-SC01

STATEMENT OF CHARGES,
NOTICE OF INTENT TO ENTER AN
ORDER TO DENY APPLICATION FOR
LICENSE, PROHIBIT FROM THE
INDUSTRY, AND RECOVER COSTS AND
EXPENSES FOR PROSECUTION

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INTRODUCTION

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.247, 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:

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I. FACTUAL ALLEGATIONS

1.1 Fred Boyd Ramey (Respondent) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a mortgage loan originator (MLO) license under Cardinal Financial Company, a consumer loan company licensed under the Act. The license application was received by the Department, through the Nationwide Mortgage Licensing System and Registry, on or about November 13, 2017, but it was not complete until on or about December 1, 2017. At this time, the MLO license application is pending.

1.2 Prior Criminal Convictions. On or about March 7, 1997, in the District Court of Lyon County, Kansas, Respondent pled guilty to one count of a felony [REDACTED]. On or about

1 November 5, 1996, in the District Court of Richland County, North Dakota, Respondent pled guilty
2 to two counts of a felony [REDACTED].

3 **1.3 Failure to Disclose Criminal Convictions.** Respondent’s MLO application required the
4 submission of a Uniform Individual Mortgage License/Registration & Consent form (MU4 Form),
5 which included the following question: “Have you ever been convicted of or pled guilty or nolo
6 contendere ("no contest") in a domestic, foreign, or military court to any felony?” Respondent
7 answered “yes” to this question. Respondent was obligated by statute to answer questions on the
8 MU4 Form truthfully and to provide the Department with complete details of all relevant events or
9 proceedings for all events relevant to the above stated question. In the Disclosure Explanation
10 section of the MU4 Form – titled, “Event Explanation Detail (Required)” - Respondent provided: “I
11 had two felony charges over 20 years ago. One in Kansas for felony [REDACTED] and the other in
12 Missouri for [REDACTED].” Respondent failed to disclose that he pled guilty to the two
13 felony counts in the District Court of Richland County, North Dakota.

14 **1.4 Failure to Disclose Unsatisfied Judgments.** On the MU4 Form under the Financial
15 Disclosure Section Respondent was also asked the following question: “Do you have any unsatisfied
16 judgements or liens against you?” Respondent answered “no” to this question. Respondent failed to
17 disclose that he has an unsatisfied judgment in the District Court of Lyon County, Kansas.
18 Respondent also failed to disclose that he has an unsatisfied judgment in the District Court of
19 Richland County, North Dakota.

20 **1.5 False Attestation.** On or about December 1, 2017, Respondent attested, under penalty of
21 perjury, that the information and statements contained within the MU4 Form are “current, true,
22 accurate, and complete[.]” To date, Respondent’s MU4 Form has not been updated to disclose the
23 two felony convictions from the District Court of Richland County, North Dakota, or to disclose the
24 unsatisfied judgments.

1 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the
2 Act by Respondent continues to date.

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

4 **2.1 Requirement of No Prior Criminal Convictions.** Based on the Factual Allegations set forth
5 in Section I above, Respondent fails to meet the minimum requirements for a MLO license in RCW
6 31.04.247(1)(d) and WAC 208-620-710(4)(c)(ii) because Respondent pled guilty to three felonies in
7 domestic courts that involved acts of dishonesty.

8 **2.2 False Statements and Omissions of Material Facts.** Based on the Factual Allegations set
9 forth in Section I above, Respondent violated RCW 31.04.027(8) and WAC 208-620-550(6) by
10 negligently making false statements or willfully making omissions of material facts in connection
11 with any investigation conducted by the Department or in connection with any application.

12 **III. AUTHORITY TO IMPOSE SANCTIONS**

13 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW
14 31.04.093(2), the Director may deny applications for licenses. Pursuant to RCW 31.04.247(2), the
15 Director shall not issue a mortgage loan originator license if the director finds the conditions of RCW
16 31.04.247 have not been met.

17 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 31.04.093(6)(a) and (e), the
18 Director may issue orders removing from office or prohibiting from participation in the conduct of
19 the affairs of any licensee, or both, any officer, principal, employee, loan originator, or any person
20 subject to this chapter for a violation of RCW 31.04.027.

21 **3.3 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director
22 may recover the state's costs and expenses for prosecuting violations of the Act.

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

2 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 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 31.04.093, RCW 31.04.165, RCW
5 31.04.205, and RCW 31.04.247. Therefore, it is the Director’s intent to ORDER that:

- 6 **4.1** Respondent Fred Boyd Ramey’s application for a mortgage loan originator license be
7 denied.
- 8 **4.2** Respondent Fred Boyd Ramey be prohibited from participation in the conduct of the
9 affairs of any mortgage loan originator subject to licensure by the Director under
10 chapter 31.04 and chapter 19.146, in any manner.
- 11 **4.3** Respondent Fred Boyd Ramey pay the Department’s costs and expenses for
12 prosecuting violations of the Act in an amount to be determined at hearing or by
13 declaration with supporting documentation in event of default by Respondent.

14 **V. AUTHORITY AND PROCEDURE**

15 This Statement of Charges and Notice of Intent to Enter an Order to Deny License
16 Application, Prohibit from the Industry, and Recover Costs and Expenses for Prosecution (Statement
17 of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW
18 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05 RCW, the
19 Administrative Procedure Act. Respondent may make a written request for a hearing as set forth in
20 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING
21 accompanying this Statement of Charges.
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1 Dated this 11th day of January, 2018.

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/s/ _____
CHARLES E. CLARK
Director
Division of Consumer Services
Department of Financial Institutions

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Presented by:

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/s/ _____
KENDALL FREED
Financial Legal Examiner

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10 Approved by:

11 /s/ _____
STEVEN C. SHERMAN
12 Enforcement Chief

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