

**ORDER SUMMARY – Case Number: C-18-2417**

**Name(s):** Elizabeth Anne Cousins  
 \_\_\_\_\_  
 \_\_\_\_\_

**Order Number:** C-18-2417-18-CO01  
 \_\_\_\_\_

**Effective Date:** November 13, 2018  
 \_\_\_\_\_

**License Number:** Mortgage Broker NMLS #116250, and  
 Designated Broker NMLS #115809  
 \_\_\_\_\_

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

**License Effect:** N/A  
 \_\_\_\_\_  
 \_\_\_\_\_

**Not Apply Until:** N/A  
 \_\_\_\_\_

**Not Eligible Until:** N/A  
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**Prohibition/Ban Until:** N/A  
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<b>Investigation Costs</b>	\$ 216	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 11/9/2018
<b>Fine</b>	\$	Due	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>	\$	Due	Paid <input type="checkbox"/> Y <input 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:			

**Comments:**  
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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:

ELIZABETH ANNE COUSINS, Mortgage  
Broker, NMLS #116250, and Designated Broker,  
NMLS #115809,

Respondent.

No.: C-18-2417-18-CO01

CONSENT ORDER WITHDRAWING  
FINAL ORDER C-18-2417-18-FO01

COMES NOW the Director of the Department of Financial Institutions (Director), through  
her designee Charles E. Clark, Division Director, Division of Consumer Services, and Elizabeth  
Anne Cousins (Respondent), and finding that the issues raised in the above-captioned matter may be  
economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is  
entered pursuant to chapter 19.146 of the Revised Code of Washington (RCW), and RCW 34.05.060  
of the Administrative Procedure Act, based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department), and  
Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges  
No. C-18-2417-18-SC01 (Statement of Charges), entered August 14, 2018, (copy attached hereto).  
Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of  
the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this  
Consent Order and further agrees that the issues raised in the above-captioned matter may be  
economically and efficiently settled by entry of this Consent Order. The parties intend this Consent  
Order to fully resolve the Statement of Charges. Respondent is agreeing not to contest the Statement  
of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

CONSENT ORDER  
C-18-2417-18-CO01  
ELIZABETH ANNE COUSINS

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DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8703



1 THIS ORDER ENTERED THIS 13<sup>th</sup> DAY OF November, 2018

2  
3 /s/ \_\_\_\_\_  
4 CHARLES E. CLARK  
5 Director  
6 Division of Consumer Services  
7 Department of Financial Institutions

8 Presented by:

9 /s/ \_\_\_\_\_  
10 DREW STILLMAN  
11 Financial Legal Examiner

12 Approved by:

13 BJP for SCS  
14 STEVEN C. SHERMAN  
15 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  
Mortgage Broker Practices Act of Washington by:  
5 ELIZABETH ANNE COUSINS, Mortgage  
Broker, NMLS #116250, and Designated Broker,  
6 NMLS #115809,

No. C-18-2417-18-SC01

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

7  
8 Respondent.

9 **INTRODUCTION**

10 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of  
11 Financial Institutions of the State of Washington (Director) is responsible for the administration of  
12 chapter 19.146 RCW, the Mortgage Broker Practices Act (Act). After having conducted an  
13 investigation pursuant to RCW 19.146.235, and based upon the facts available as of the date of this  
14 Statement of Charges, the Director, through her designee, Division of Consumer Services Director  
15 Charles E. Clark, institutes this proceeding and finds as follows:

16 **I. FACTUAL ALLEGATIONS**

17 **1.1 Respondent. Elizabeth Anne Cousins (Cousins)** does business as Extraordinary Processing,  
18 a sole proprietorship. Cousins d/b/a Extraordinary Processing was licensed by the Department of  
19 Financial Institutions of the State of Washington (Department) to conduct business as a mortgage  
20 broker on or about June 8, 2007, and continues to be licensed as a mortgage broker to date. On or  
21 about the same date, Cousins was individually licensed as a designated broker and continues to be  
22 registered as a designated broker to date. Cousins is the designated broker for her sole proprietorship.  
23 On or about April 26, 2018, Cousins was individually licensed by the Department to conduct business  
24 as a mortgage loan originator and continues to be licensed as a mortgage loan originator to date.

1 **1.2 Examination.** From October 9, 2017, through October 12, 2017, the Department conducted  
2 an examination of another licensed mortgage broker, Washington Discount Mortgage, LLC. The  
3 Department reviewed that company's business practices for the period of April 1, 2015, through  
4 September 30, 2017. During that examination, the Department identified that Cousins engaged in  
5 apparent unlicensed activity.

6 **1.3 Unlicensed Activity.** Cousins was employed by Washington Discount Mortgage, LLC as an  
7 independent contractor to provide third-party loan processing services. During the period examined,  
8 Cousins acted as a loan processor for six loan files on behalf of Washington Discount Mortgage,  
9 LLC. Cousins did not hold a mortgage loan originator license at this time.

10 **1.4 On-Going Investigation.** The Department's investigation into the alleged violations of the  
11 Act by Respondents continues to date.

## 12 II. GROUNDS FOR ENTRY OF ORDER

13 **2.1 Responsibility of Mortgage Broker.** Pursuant to RCW 19.146.245, a licensed mortgage  
14 broker is liable for any conduct violating the Act by the designated broker, a loan originator, or other  
15 licensed mortgage broker while employed or engaged by the licensed mortgage broker.

16 **2.2 Responsibility of Designated Broker.** Pursuant to RCW 19.146.200(3), every licensed  
17 mortgage broker must at all times have a designated broker responsible for all activities of the  
18 mortgage broker in conducting the business of a mortgage broker. A designated broker, principal, or  
19 owner who has supervisory authority over a mortgage broker is responsible for a licensee's,  
20 employee's, or independent contractor's violations of the Act if: the designated broker, principal, or  
21 owner directs or instructs the conduct or, with knowledge of the specific conduct, approves or allows  
22 the conduct; or the designated broker, principal, or owner who has supervisory authority over the  
23 licensed mortgage broker knows or by the exercise of reasonable care and inquiry should have known

1 of the conduct, at a time when its consequences can be avoided or mitigated and fails to take  
2 reasonable remedial action.

3 **2.3 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual  
4 Allegations set forth in Section I above, Respondent is in apparent violation of RCW 19.146.0201(2)  
5 and (11), RCW 19.146.200, WAC 208-660-300(13), and the Secure and Fair Enforcement for  
6 Mortgage Licensing Act of 2008, 12 USC § 5103(b)(2), for engaging in residential mortgage loan  
7 origination activities as a loan processor and independent contractor without first obtaining and  
8 maintaining a mortgage loan originator license under the Act.

### 9 **III. AUTHORITY TO IMPOSE SANCTIONS**

10 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(3), the  
11 Director may issue orders directing a licensee, its employee, loan originator, independent contractor,  
12 agent, or other person subject to the Act to cease and desist from conducting business or take such  
13 other affirmative action as is necessary to comply with this chapter.

14 **3.2 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
15 against a licensee, employees, independent contractors, agents of licensees, or other persons subject  
16 to the Act for any violation of the Act.

17 **3.3 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-  
18 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour  
19 for an examiner's time devoted to an investigation.

20 **3.4 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director  
21 may recover the state's costs and expenses for prosecuting violations of the Act.

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

23 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,  
24 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose

1 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, and  
2 RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

3 **4.1** Respondent Elizabeth Anne Cousins, cease and desist from the violations set forth in  
4 Section II above.

5 **4.2** Respondent Elizabeth Anne Cousins pay a fine. As of the date of this Statement of  
6 Charges, the fine totals \$1,500.

7 **4.3** Respondent Elizabeth Anne Cousins pay an investigation fee. As of the date of this  
8 Statement of Charges, the investigation fee totals \$216.

9 **4.4** Respondent Elizabeth Anne Cousins pay the Department's costs and expenses for  
10 prosecuting violations of the Act in an amount to be determined at hearing or by  
11 declaration with supporting documentation in event of default by Respondent.  
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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). Respondent 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 14<sup>th</sup> day of August, 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 DREW STILLMAN  
18 Financial Legal Examiner

19 Approved by:

20 /s/ \_\_\_\_\_  
21 STEVEN C. SHERMAN  
22 Enforcement Chief