

ORDER SUMMARY – Case Number: C-18-2469

Name(s): Daniel Andrew Snoey

Order Number: C-18-2469-19-CO01

Effective Date: January 16, 2020

License Number: NMLS No. 958185
Or NMLS Identifier [U/L] _____

License Effect: Revoked

Not Apply Until: Seven years from effective date

Not Eligible Until: _____

Prohibition/Ban Until: Seven years from effective date

Investigation and Prosecution Costs	\$ 19,558.99	Due 1/16/20	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$ 5,000	Stayed for seven years	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
	No. of Victims:			

Comments: _____

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

3 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a
4 hearing before an administrative law judge, and hereby waives his right to a hearing and any and all
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached
6 herein. Accordingly, Respondent, by his signature below, withdraws his appeal to the Office of
7 Administrative Hearings.

8 **C. Mortgage Loan Originator License Revocation.** It is AGREED that Respondent's
9 Washington mortgage loan originator license is revoked.

10 **D. Prohibition from Industry.** It is AGREED that, for a period of seven years from the date
11 of entry of this Consent Order, Respondent is prohibited from participating, in any capacity, in the
12 conduct of the affairs of any consumer loan company or mortgage broker licensed by the Department
13 or subject to licensure or regulation by the Department.

14 **E. Application for License.** It is AGREED that, for a period of seven years from the date of
15 entry of this Consent Order, Respondent shall not apply to the Department for any license under any
16 name. It is FURTHER AGREED that, should Respondent apply to the Department for any license
17 under any name at any time later than seven years from the date of entry of this Consent Order,
18 Respondent shall be required to meet any and all application requirements in effect at that time.

19 **F. Fine (Stayed).** It is AGREED that Respondent shall pay a fine to the Department in the
20 amount of \$5,000. It is FURTHER AGREED that, contingent upon Respondent's compliance with
21 this Consent Order, the entire fine shall be stayed for seven years from the date of this Consent Order
22 unless lifted pursuant to Paragraph G. If the Department does not seek to lift the stay and impose the
23 stayed fine pursuant to Paragraph G, the stayed fine shall expire without further notice or action by

1 the Department. It is FURTHER AGREED that, if Respondent fails to comply with this Consent
2 Order, the Department may lift the stay and impose the \$5,000 fine pursuant to Paragraph G, at which
3 time Respondent shall pay the fine in the form of a cashier's check made payable to the "Washington
4 State Treasurer."

5 **G. Lifting of Stay and Imposition of Stayed Fine.** It is AGREED that:

- 6 1. If, during the seven-year stay, the Department determines that Respondent has not
7 complied with this Consent Order and the Department seeks to lift the stay and impose
8 the stayed fine, the Department will first serve Respondent with a written notice of
9 alleged noncompliance.
- 10 2. The notice will include:
 - 11 i. A description of the alleged noncompliance;
 - 12 ii. A statement that the Department seeks to lift the stay and impose the stayed
13 fine;
 - 14 iii. Notice that Respondent can contest the notice of alleged noncompliance by
15 either requesting an adjudicative hearing before an administrative law judge
16 (ALJ) from the Office of Administrative Hearings or by submitting a written
17 response to the Department contesting the alleged noncompliance; and
 - 18 iv. Notice that the process for lifting the stay applies only to this Consent Order.
- 19 3. Respondent has 20 days from the date of service of the notice of alleged
20 noncompliance to submit a written request to the Department for an adjudicative
21 hearing.
- 22 4. The scope and issues of the adjudicative hearing are limited solely to whether or not
23 Respondent is in violation of the terms of this Consent Order.

1 5. At the conclusion of the adjudicative hearing, the ALJ will issue an initial decision.

2 Any party may file a Petition for Review of that initial decision with the Director of
3 the Department.

4 6. DEFAULT. If Respondent does not timely request an adjudicative hearing or submit
5 a written response contesting the notice of alleged noncompliance, the Department
6 may lift the stay and impose the stayed fine without further notice.

7 **H. Costs of Investigation and Prosecution.** It is AGREED that Respondent shall pay to the
8 Department costs of the investigation and prosecution of this matter totaling \$19,558.99, in the form
9 of a cashier's check made payable to the "Washington State Treasurer," upon entry of this Consent
10 Order.

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

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

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

19 **L. Counterparts.** This Consent Order may be executed by Respondent in any number of
20 counterparts, including by facsimile or e-mail of a .pdf or similar file, each of which shall be deemed
21 to be an original, but all of which, taken together, shall constitute one and the same Consent Order.

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1 **RESPONDENT:**

2 Daniel Andrew Snoey

3 By:

4 /s/
Daniel Andrew Snoey

Jan 1st, 2020
Date

5 Approved for Entry:

6 /s/
7 John Bender, WSBA No. 19540
8 Attorney at Law
9 Ryan, Swanson & Cleveland, PLLC
Attorney for Respondent

1-14-2020
Date

10 DO NOT WRITE BELOW THIS LINE

11 THIS ORDER ENTERED THIS 16th DAY OF January, 2020.

12
13 /s/
LUCINDA FAZIO
14 Director
15 Division of Consumer Services
Department of Financial Institutions

16 Presented by:

17 /s/
DREW STILLMAN
18 Financial Legal Examiner

19 Approved by:

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

1 **1.3 Terminated Employment.** On January 29, 2018, after learning of Respondent's actions
2 identified in paragraph 1.2, Respondent's employer terminated Respondent's employment.

3 **1.4 False Filing.** On February 6, 2018, Respondent filed an individual filing (MU4) on
4 Nationwide Multistate Licensing System & Registry (NMLS) to update his employer information. On
5 the MU4 filing, Snoey falsely answered "No" to the "Termination Disclosure" question asking if he
6 had ever voluntarily resigned, been discharged, or permitted to resign after allegations were made
7 that accused him of: (1) violating statute(s), regulation(s), rule(s), or industry standards of conduct, or
8 (2) fraud, dishonesty, theft, or the wrongful taking of property.

9 **1.5 Oregon Administrative Action.** On September 6, 2018, the Oregon Department of
10 Consumer and Business Services (ODCBS) entered into a Consent Order with Respondent. In it,
11 Respondent admitted to the conduct alleged in paragraph 1.2.

12 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the
13 Act by Respondents continues to date.

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

15 **2.1 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,
16 Respondent is in apparent violation of RCW 31.04.027(1) and (2) for directly or indirectly employing
17 a scheme, device, or artifice to defraud or mislead any person, and engaging in any unfair or
18 deceptive practice toward any person.

19 **2.2 False Statements and Omissions of Material Facts.** Based on the Factual Allegations set
20 forth in Section I above, Respondent is in apparent violation of RCW 31.04.027(8) for negligently
21 making any false statements or knowingly and willfully making any statements that omitted material
22 facts in connection with any report filed with the Department by a licensee or in connection with any
23 investigation conducted by the Department.

1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Revoke License.** Pursuant to RCW 31.04.093(3)(a) and (b), and WAC 208-
3 620-570, the Director may revoke a license if a licensee violated any provision of the Act or the rules
4 adopted thereunder, or if a licensee has been subject to an administrative action issued pursuant to
5 mortgage lending laws of this or another state.

6 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 31.04.093(6), the Director may
7 issue an order prohibiting from participation in the affairs of any licensee, any officer, principal,
8 employee, mortgage loan originator, or any other person subject to the Act for a violation of RCW
9 31.04.027.

10 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of
11 up to one hundred dollars per day, per violation, upon the licensee, its employee or loan originator, or
12 any other person subject to the Act for any violation of the Act.

13 **3.4 Authority to Charge Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
14 610(7), every licensee investigated by the Director or the Director’s designee shall pay for the cost of
15 the investigation, calculated at the rate of \$69.01 per staff hour devoted to the investigation.

16 **3.5 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director
17 may recover the state’s costs and expenses for prosecuting violations of the Act.

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

19 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
20 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
21 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW
22 34.04.202, and RCW 31.04.205. Therefore, it is the Director’s intent to ORDER that:

23 **4.1** Respondent Daniel Andrew Snoey license to conduct the business of a loan originator
24 be revoked.

- 1 **4.2** Respondent Daniel Andrew Snoey be prohibited from participation in the conduct of
2 the affairs of any consumer loan company subject to licensure by the Director, in any
 manner, for a period of seven years.
- 3 **4.3** Respondent Daniel Andrew Snoey pay a fine. As of the date of this Statement of
4 Charges, the fine totals \$5,000.
- 5 **4.4** Respondent Daniel Andrew Snoey pay an investigation fee. As of the date of this
6 Statement of Charges, the investigation fee totals \$600.
- 7 **4.5** Respondent Daniel Andrew Snoey pay the Department's costs and expenses for
 prosecuting violations of the Act in an amount to be determined at hearing or by
 declaration with supporting documentation in event of default by Respondent.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intent to Enter an Order to Revoke License, Prohibit
3 from Industry, Impose Fine, Collect Investigation Fee, and Recover Costs and Expenses (Statement
4 of Charges) is entered pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW
5 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05 RCW (The
6 Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in
7 the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND
8 accompanying this Statement of Charges.

9 Dated this 19th day of December, 2018.

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