

## Terms Completed

### ORDER SUMMARY – Case Number: C-18-2480

**Name(s):** Homeowners Foundation, Inc.; Paul J. Higgs  
 \_\_\_\_\_  
 \_\_\_\_\_

**Order Number:** C-18-2480-18-CO01  
 \_\_\_\_\_

**Effective Date:** September 10, 2018  
 \_\_\_\_\_

**License Number:** N/A  
**Or NMLS Identifier [U/L]** \_\_\_\_\_

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

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

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

**Prohibition/Ban Until:** September 10, 2023  
 \_\_\_\_\_

<b>Investigation Costs</b>	\$ 655.20	Due upon entry of Consent Order	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$ 0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$ 0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$ 4,500.00	Due prior to entry of Consent Order	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$ 0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$ 0	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
No. of Victims:		1		

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



1 **1.2 Unlicensed Activity.** Between at least April 2016 and June 2016, Respondents provided or  
2 offered to provide residential mortgage loan modification services to at least one Washington resident  
3 for a residential mortgage loan secured by real property located in the state of Washington.

4 **CONCLUSIONS OF LAW**

5 **2.1** Based on the Findings of Fact, Respondents violated RCW 19.146.200 by engaging in the  
6 business of a mortgage broker or mortgage loan originator in the state of Washington without first  
7 obtaining and maintaining a license in accordance with the Act or meeting an exclusion from the Act  
8 under RCW 19.146.020.

9 **AGREEMENT AND ORDER**

10 The Department and Respondents have agreed upon a basis for resolution of the Findings of  
11 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 19.146.218 and  
12 RCW 34.05.060, the Department and Respondents hereby agree to the Department's entry of this  
13 Consent Order and hereby admits the Findings of Fact and Conclusions of Law identified in this  
14 Consent Order.

15 Based upon the foregoing:

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

18 **B. Waiver of Hearing.** It is AGREED that Respondents hereby waive any rights they have to a  
19 hearing and any and all administrative and judicial review of the issues raised in this matter or the  
20 resolution reached herein.

21 **C. Prohibition.** It is AGREED that for a period of five years from the date of this Consent  
22 Order, Respondents are prohibited from participating, in any capacity, the conduct of the affairs of  
23

1 any mortgage broker or consumer loan company licensed by the Department or subject to licensure or  
2 regulation by the Department.

3 **D. Investigation Fee.** It is AGREED that Respondents shall jointly and severally pay an  
4 investigation fee to the Department in the amount of \$655.20 in the form of a cashier's check made  
5 payable to the "Washington State Treasurer" upon entry of this Consent Order.

6 **E. Restitution.** It is AGREED that Respondents have paid restitution in the amount of  
7 \$4,500.00 to borrower B.E. and have provided the Department with proof of payment in the form of a  
8 copy of the cashier's check issued.

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

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

15 **H. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read  
16 this Consent Order in its entirety and fully understands and agrees to all of the same.

17 **I. Authority to Execute Order.** It is AGREED that the undersigned authorized representative  
18 has represented and warranted that he has the full power and right to execute this Consent Order on  
19 behalf of Respondent Homeowners Foundation, Inc.

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1 **RESPONDENTS:**

2 Homeowners Foundation, Inc.

3 By:

4 /s/

5 Paul J. Higgs  
6 Founder

8/27/2018

Date

7 /s/

8 Paul J. Higgs  
9 Individually

8/27/2018

Date

10 **DO NOT WRITE BELOW THIS LINE**

11 THIS ORDER ENTERED THIS 10<sup>th</sup> DAY OF September, 2018.

12 /s/

13 CHARLES E. CLARK  
14 Director  
15 Division of Consumer Services  
16 Department of Financial Institutions

17 Presented by:

18 /s/

19 JEANJU CHOI  
20 Financial Legal Examiner

21 Approved by:

22 /s/

23 STEVEN C. SHERMAN  
24 Enforcement Chief