

Terms Completed

ORDER SUMMARY – Case Number: C-18-2567

Name(s): Greater Puget Sound Escrow, Inc.

Order Number: C-18-2567-18-CO01

Effective Date: 1/10/19

License Number: 30929

Or NMLS Identifier [U/L] _____

License Effect: none

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$ 500		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: 12/27/18
Fine	\$ 5,000	Due: Stayed	Paid <input type="checkbox"/> Y <input 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
Cost of Prosecution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

Comments: Compliance Exam in 12 months.

1 **1.3** In or about May 2018 the Department conducted a second follow-up examination of
2 Respondent's books and records. The Department found that Respondent had not hired a third-party
3 reconciliation service provider and instead continued to perform the reconciliation in-house. The
4 Department also found at least 16 instances evidencing Respondent's failure to properly administer
5 funds held in its trust account.

6 **CONCLUSIONS OF LAW**

7 **2.1** Based on the above Findings of Fact, Respondent violated RCW 18.44.400(3) and WAC 208-
8 680-174 by failing to properly administer funds held in its trust account.

9 **AGREEMENT AND ORDER**

10 The Department and Respondent 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 19.230.270 and
12 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further
13 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
14 Consent Order. Respondent hereby admits the Findings of Fact and Conclusions of Law identified in
15 this Consent Order.

16 Based upon the foregoing:

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

19 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has to a hearing
20 and any and all administrative and judicial review of the issues raised in this matter or the resolution
21 reached herein.

22 **C. Third-Party Reconciliation Service Provider.** It is AGREED that Respondent will retain
23 and maintain the services of a third-party reconciliation service provider.

1 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
2 \$5,000. It is further AGREED that payment of the fine shall be stayed pending the outcome of a
3 follow-up examination as set forth in paragraph F, below.

4 **E. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the
5 Department in the amount of \$500 upon entry of this Consent Order in the form of a cashier's check
6 made payable to the "Washington State Treasurer."

7 **F. Compliance Examination.** It is AGREED that Respondent is subject to a compliance
8 examination to be conducted by the Department at the Department's discretion but not later than
9 twelve (12) months from the date of this Consent Order. The scope of the examination for purposes
10 of this Consent Order will be to determine whether Respondent has failed to properly administer
11 funds held in its trust account. The Department may conduct this limited scope examination
12 independently or in conjunction with a full scope examination. Respondent will be required to pay
13 the costs of the examination.

14 **G. Lifting of Stay and Imposing Fine.** It is AGREED that:

- 15 1. If as a result of the compliance examination set forth in paragraph F above the
16 Department determines that Respondent has failed to properly administer funds
17 held in its trust account or has not complied with the terms of this Consent Order
18 and the Department accordingly seeks to lift the stay and impose the fine set forth
19 in paragraph D above, the Department will first notify Respondent in writing of its
20 determination.
- 21 2. The Department's notification will include:
 - 22 a) A description of the alleged noncompliance;
 - 23 b) A statement that because of the noncompliance, the Department seeks
24 to lift the stay and impose the revocation;
 - c) The opportunity for Respondent to contest the Department's
determination of noncompliance in an administrative hearing before an
Administrative Law Judge (ALJ) from the Office of Administrative
Hearings; and

1
2 d) A copy of this Consent Order. The notification and hearing process
3 provided in this Consent Order applies only to this Consent Order. It is
4 solely provided in the event Respondent chooses to contest the
5 Department's determination of noncompliance.

- 6 3. Respondent will be afforded twenty (20) business days from the date of receipt of
7 the Department's notification to submit a written request to the Department for an
8 administrative hearing.
- 9 4. Respondent, in addition to its request for hearing, may provide a written response
10 to include any information pertaining to the alleged noncompliance.
- 11 5. The scope and issues of the hearing are limited solely to whether or not
12 Respondent has failed to properly administer funds held in its trust account or has
13 not complied with the terms of this Consent Order.
- 14 6. At the conclusion of the hearing, the ALJ will issue an initial decision. Either
15 party may file a Petition for Review with the Director of the Department.
- 16 7. If Respondent does not request the hearing within the stated time, the Department
17 will immediately lift the stay, impose the \$5,000 fine, and take whatever action it
18 deems necessary to collect the fine.

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

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

J. Completely Read, Understood, and Agreed. It is AGREED that Respondent's
representative has read this Consent Order in its entirety and fully understands and agrees to all of the
same.

1 **K. Authority to Execute Order.** It is AGREED that the undersigned authorized representative
2 has represented and warranted that he has the full power and right to execute this Consent Order on
3 behalf of Respondent.

4
5 **RESPONDENT:**
6 Greater Puget Sound Escrow, Inc.
7 By:

8 /s/
9 Daren Hamilton
10 Owner and Designated Escrow Officer

Dec 27, 2018
Date

11 **DO NOT WRITE BELOW THIS LINE**

12 THIS ORDER ENTERED THIS 10th DAY OF JANUARY, 2019.

13
14
15 /s/
16 CHARLES E. CLARK
17 Director
18 Division of Consumer Services
19 Department of Financial Institutions

20 Presented by:

21 /s/
22 Steven C. Sherman Enforcement
23 Chief