

ORDER SUMMARY – Case Number: C-19-2598

Name(s): Yousip Atour Golani

Order Number: C-19-2598-19-CO01 and C-19-2598-19-CO02

Effective Date: 8/27/19

License Number: NMLS# 1211938
Or NMLS Identifier [U/L] _____

Not Apply Until: 8/27/24

Not Eligible Until: 8/27/24

Prohibition/Ban Until: Prohibited from industry for five (5) years from effective date

Investigation Costs	\$ 1, 708.00	Due: monthly payments	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Cost of Prosecution	\$2,722.00	Due: monthly payments	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
	No. of Victims:	N/A		

Comments: Balance due of \$4430.00 (\$1708.00 in investigation costs and \$2722 cost of prosecution) is to be paid in
monthly payments of at least \$200. The first payment must be made no later than the last business day in September,
2019.

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

IN THE MATTER OF DETERMINING:
WHETHER THERE HAS BEEN A VIOLATION
OF THE CONSUMER LOAN ACT OF
WASHINGTON BY:

YOUSIP ATOUR GOLANI,
NMLS #1211938,
Respondent.

No. C-19-2598-19-CO02
CONSENT ORDER ADDENDUM FOR
RESPONDENT'S PAYMENT PLAN

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Richard St. Onge, Division of Consumer Services Acting Division Director, and Yousip Atour Golani, (Respondent), agree to the entry of this Consent Order Addendum for Respondent's Payment Plan (Addendum). This Addendum is entered pursuant to chapter 31.04 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 resolution of the matters alleged in Statement of Charges No. C-19-2598-19-SC01 (Statement of Charges) through Consent Order No. C-19-2598-19-CO01 (Consent Order). The parties intend this Addendum to supplement the Consent Order to fully address the payment of the investigation fee and costs of prosecution due to the Department.

Based upon the foregoing:

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

1 **2. Payments.** It is AGREED that Respondent shall pay the Investigation Fee and Costs of
2 Prosecution totaling \$4,430.00 in the form of certified funds made payable to the “Washington State
3 Treasurer.” Respondent shall pay a minimum of \$200.00 per month, with the first payment due no
4 later than the last business day of September 2019, and continuing until the Investigation Fee and
5 Costs of Prosecution are paid in full. Each monthly payment shall be delivered to the Department so
6 that it is received no later than the last business day of each succeeding month. Respondent may pay
7 the entire outstanding amount due at any time following the entry of this Addendum.

8 **3. Failure to Make Payment.** It is AGREED that in the event Respondent fails to timely
9 make a monthly payment, the Department may refer the outstanding amount to a collections agency
10 without further notice to Respondent.

11 **4. Effect of Consent Order.** It is AGREED that all other terms of the Consent Order
12 remain in full force and effect unless otherwise specifically stated in this Addendum.

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

17 **6. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this
18 Addendum, which is effective when signed by the Director’s designee.

19 **7. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read
20 this Addendum in its entirety and fully understands and agrees to all of the same.

21 **8. Counterparts.** This Addendum may be executed by the parties in any number of
22 counterparts, including e-mail of a PDF File, or other similar file, each of which shall be deemed to
23 be an original, but all of which, taken together, shall constitute one and the same Addendum.

1 **RESPONDENT:**

2
3 /s/
4 YOUSIP ATOUR GOLANI
Mortgage Loan Originator
NMLS #1211938

8/16/19
Date

6
7 **DO NOT WRITE BELOW THIS LINE**

8 THIS ORDER ENTERED THIS 27th DAY OF August, 2019.

9 /s/
10 RICHARD ST. ONGE
Acting Director
11 Division of Consumer Services
Department of Financial Institutions

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16 Presented by:

17
18 /s/
19 JEANJU CHOI
Financial Legal Examiner

20 Approved by:

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

1 **STATE OF WASHINGTON**
2 **DEPARTMENT OF FINANCIAL INSTITUTIONS**
3 **DIVISION OF CONSUMER SERVICES**

4 IN THE MATTER OF DETERMINING:
5 WHETHER THERE HAS BEEN A VIOLATION
6 OF THE CONSUMER LOAN ACT OF
7 WASHINGTON BY:

8 YOUSIP ATOUR GOLANI,
9 NMLS #1211938,

10 Respondent.

No. C-19-2598-19-CO01

CONSENT ORDER

11 COMES NOW the Director of the Department of Financial Institutions (Director), through his
12 designee Richard St. Onge, Division of Consumer Services Acting Division Director, and Yousip
13 Atour Golani, (Respondent), and finding that the issues raised in the above-captioned matter may be
14 economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is
15 entered pursuant to chapter 31.04 of the Revised Code of Washington (RCW), and RCW 34.05.060
16 of the Administrative Procedure Act, based on the following:

17 **AGREEMENT AND ORDER**

18 The Department of Financial Institutions, Division of Consumer Services (Department) and
19 Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges
20 No. C-19-2598-19-SC01 (Statement of Charges), entered February 15, 2019 (copy attached hereto).
21 Pursuant to chapter 31.04 RCW, the Consumer Loan Act of Washington (Act), and RCW 34.05.060
22 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this
23 Consent Order and further agrees that the issues raised in the above-captioned matter may be
24 economically and efficiently settled by entry of this Consent Order. The parties intend this Consent
Order to fully resolve the Statement of Charges. Respondent agrees not to contest the Statement of
Charges in consideration of the terms of this Consent Order.

1 Based upon the foregoing:

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

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

9 **3. Mortgage Loan Originator License Renewal Application Denial.** It is AGREED that
10 Respondent's application to renew his mortgage loan originator license is denied.

11 **4. Prohibition from Industry.** It is AGREED that, for a period of five (5) years from the
12 date of entry of this Consent Order, Respondent is prohibited from participating, in any capacity, in
13 the conduct of the affairs of any mortgage broker or consumer loan company licensed by the
14 Department or subject to licensure or regulation by the Department.

15 **5. Application for License.** It is AGREED that Respondent shall not apply to the
16 Department for any license under any name for a period of five (5) years from the date of entry of
17 this Consent Order. It is further AGREED that, should Respondent apply to the Department for any
18 license under any name at any time later than five (5) years from the date of entry of this Consent
19 Order, such applying Respondent shall be required to meet any and all application requirements in
20 effect at that time.

21 **6. Investigation Fee.** It is AGREED that Respondent shall pay to the Department an
22 investigation fee of \$ 1,708.00, in the form of a cashier's check made payable to the "Washington
23 State Treasurer," upon entry of this Consent Order.

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 27th DAY OF August, 2019.

/s/
RICHARD ST. ONGE
Acting Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

/s/
JEANJU CHOI
Financial Legal Examiner

Approved by:

/s/
STEVEN C. SHERMAN
Enforcement Chief

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

IN THE MATTER OF DETERMINING
WHETHER THERE HAS BEEN A
VIOLATION OF THE CONSUMER LOAN
ACT OF WASHINGTON BY:

YOUSIP ATOUR GOLANI,
NMLS #1211938,
Respondent.

No.: C-19-2598-19-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO DENY APPLICATION FOR
LICENSE RENEWAL, PROHIBIT FROM
INDUSTRY, COLLECT INVESTIGATION
FEE, and RECOVER COSTS AND
EXPENSES

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:

I. FACTUAL ALLEGATIONS

1.1 Yousip Atour Golani (Respondent) was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage loan originator (MLO) on or about September 5, 2014. On or about November 1, 2018, Respondent submitted an application to renew his MLO license to the Department. The license renewal application was received by the Department through the Nationwide Mortgage Licensing System and Registry (NMLS).

1.2 Prior Felony Guilty Plea. On or about June 11, 2018, in the 16th Judicial Circuit Court of Macomb County, Michigan, Respondent entered a guilty plea to a felony.

1.3 Disclosure Question. Licensed MLOs must submit an Individual Form Filing (Form MU4) on NMLS to periodically answer disclosure questions and swear or affirm that their answers are

1 current, true, and complete under the penalty of perjury. Disclosure Question F on Form MU4 asks
2 “Have you ever been convicted of or pled guilty or nolo contendere (“no contest”) in a domestic,
3 foreign, or military court to any felony?” On October 22, 2018, Respondent swore or attested that his
4 answer was “No” under the penalty of perjury. Respondent did not provide documents or records in
5 the Form MU4 regarding his felony.

6 **1.4 License Renewal.** Licensed MLOs are required to submit a MLO license renewal application
7 through NMLS annually in order to maintain the license. The MLO license renewal application
8 requires a MLO to submit an attestation in support of the renewal application. On or about
9 November 1, 2018, Respondent submitted his annual MLO license renewal application. In the
10 attestation, Respondent swore or affirmed as follows:

11 I, Yousip Golani, swear (or affirm) on 11/01/2018 that to the best of my knowledge
12 and belief the information contained in my online record, including jurisdiction
13 specific requirements where I am licensed or registered, is true, accurate and complete
14 in accordance with the appropriate jurisdiction’s law. Additionally, I acknowledge
15 that I have duty and agree to expediently update and correct the information as it
16 changes.

17 I understand that submitting any false or misleading information, or omitting pertinent
18 or material information, may be grounds for administrative action and/or criminal
19 action.

20 As part of this request for license/registration renewal, I swear (or affirm) the
21 following:

22 [...]

23 4. I acknowledge that I understand and will comply with the laws and regulations
24 pertaining to the conduct of the business for which the Licensee/Registrant is
requesting the renewal of such license or registration.

5. I affirm/attest that I have updated the documents on file with the jurisdiction(s) to
disclose any new event or proceeding requiring an affirmative answer to any
Disclosure Question which has occurred since submission of my license/registration
application or renewal application to the applicable jurisdiction(s). Any documents
explaining affirmative answers to any Disclosure Questions previously submitted to
each jurisdiction(s) remain true and accurate.

1 **1.5 False Information in Application for License Renewal.** In his MLO license renewal
2 application, Respondent made false statements to the Department about the accuracy, truthfulness,
3 and completeness of the information he submitted to the Department.

4 **1.6 Character and General Fitness.** Respondent has not demonstrated character and general
5 fitness such as to command the confidence of the community and warrant a belief that he will operate
6 honestly, fairly, and efficiently.

7 **1.7 On-Going Investigation.** The Department's investigation into the alleged violations of the
8 Act by Respondent continues to date.

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

10 **2.1 Requirement of No Prior Felony Guilty Plea.** Based on the Factual Allegations set forth in
11 Section I, Respondent fails to meet the requirements of RCW 31.04.247(1)(d) and WAC 208-620-
12 710(4)(c) by having been convicted of, or having pled guilty or nolo contendere to, a felony in a
13 domestic, foreign, or military court: (i) during the seven-year period preceding the date of the
14 application for licensing and registration; or (ii) at any time preceding the date of application, if the
15 felony involved an act of fraud, dishonesty, breach of trust, or money laundering.

16 **2.2 False Statements and Omissions of Material Facts.** Based on the Factual Allegations set
17 forth in Section I, Respondent is in apparent violation of RCW 31.04.027(1)(h) and WAC 208-620-
18 550(6) by negligently making false statements or willfully making omissions of material facts in
19 connection with any investigation conducted by the Department or in connection with any
20 application.

21 **2.3 Requirement to Demonstrate Character and General Fitness.** Based on the Factual
22 Allegations set forth in Section I, Respondent fails to meet the requirements of RCW 31.04.247(1)(e)
23 and WAC 208-620-710 by failing to demonstrate character and general fitness such as to command

1 the confidence of the community and to warrant a determination that the mortgage loan originator
2 will operate honestly, fairly, and efficiently within the purposes of the Act.

3 **III. AUTHORITY TO IMPOSE SANCTIONS**

4 **3.1 Authority to Deny Application for License Renewal.** Pursuant to RCW 31.04.093(2) and
5 RCW 31.04.027(2), the Director may revoke a license for knowingly or without the exercise of due
6 care violating any provision of the Act.

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

10 **3.3 Authority to Collect Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
11 610(7), the Director may charge and collect an investigation fee calculated at \$69.01 per hour.

12 **3.4 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director
13 may recover the state's costs and expenses for prosecuting violations of the Act.

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

15 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
16 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
17 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW
18 31.04.205, and RCW 31.04.247. Therefore, it is the Director's intent to ORDER that:

19 **4.1** Respondent Yousip Atour Golani's application to renew his mortgage loan originator
20 license be denied.

21 **4.2** Respondent Yousip Atour Golani be prohibited from participation in the conduct of
22 the affairs of any consumer loan company subject to licensure by the Director, in any
23 manner, for a period of seven years.

24 **4.3** Respondent Yousip Atour Golani pay an investigation fee to the Department of
Financial Institutions. As of the date of this Statement of Charges, the investigation
fee total amounts to \$955.79.

1 **4.4** Respondent Yousip Atour Golani pay the Department of Financial Institutions' costs
2 and expenses for prosecuting violations of the Consumer Loan Act in an amount to be
3 determined at hearing or by declaration with supporting documentation in event of
4 default by Respondent.

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