

ORDER SUMMARY – Case Number: C-19-2687

Name(s): Christi Jo Val

Order Number: C-19-2687-20-CO02

Effective Date: 3/11/20

NMLS Number: 167206

License Effect: N/A

Not Apply Until: N/A

Not Eligible Until: N/A

Prohibition/Ban Until: 1 year prohibition STAYED

Investigation Costs	\$		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$ 1,000 \$500 Stayed	\$500 paid	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 3/10/20
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: _____

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 of the
6 Consumer Loan Act of Washington by:

No.: C-19-2687-20-CO02

7 **GUARANTEED RATE, INC., NMLS No. 2611,**
8 **ADAM WAYNE CANTER, NMLS No. 140873,**
9 **and CHRISTI JO VAL, NMLS No. 167206,**

**CONSENT ORDER AS TO CHRISTI JO
VAL**

Respondents.

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

16 **AGREEMENT AND ORDER**

17 The Department of Financial Institutions, Division of Consumer Services (Department) and
18 Respondent Val have agreed upon a basis for resolution of the matters alleged in Statement of
19 Charges No. C-19-2687-19-SC01 (Statement of Charges), entered November 27, 2019, (copy
20 attached hereto) solely as related to Respondent Val. Pursuant to chapter 31.04 RCW, the Consumer
21 Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent Val hereby
22 agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the
23 above-captioned matter may be economically and efficiently settled by entry of this Consent Order
24 solely as related to Respondent Val. The parties intend this Consent Order to fully resolve the
Statement of Charges solely as related to Respondent Val.

Based upon the foregoing:

CONSENT ORDER
C-19-2687-20-CO02
CHRISTI JO VAL

1

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

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 Val has been informed of the right to
4 a hearing before an administrative law judge, and hereby waives her 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 Val, by her signature below, withdraws her appeal to the Office of
7 Administrative Hearings.

8 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the
9 Statement of Charges solely as related to Respondent Val. It is AGREED that Respondent Val does
10 not admit or deny any wrongdoing by its entry.

11 **D. Future Conduct.** It is AGREED that Respondent Val will not engage in conduct in
12 violation of the Act.

13 **E. Surrender of License.** It is AGREED that Respondent Val voluntarily surrendered her
14 Washington mortgage loan originator license on April 19, 2019.

15 **F. Prohibition from Industry (Stayed).** It is AGREED that, for a period of one year from
16 the date of entry of this Consent Order, Respondent Val is prohibited from participating, in any
17 capacity, in the conduct of the affairs of any consumer loan company licensed by the Department or
18 subject to licensure or regulation by the Department. It is FURTHER AGREED that, contingent upon
19 Respondent Val's compliance with this Consent Order, the prohibition shall be stayed (the "stayed
20 prohibition") for one year unless lifted pursuant to Paragraph H. If the Department does not seek to
21 lift the stay and impose the stayed prohibition pursuant to Paragraph H, the stayed prohibition shall
22 expire without further notice or action by the Department.

23 **G. Fine (Partially Stayed).** It is AGREED that Respondent Val shall pay a fine to the

1 Department in the amount of \$1,000. It is FURTHER AGREED that Respondent Val shall pay \$500
2 of the fine in the form of a cashier's check made payable to the "Washington State Treasurer," upon
3 entry of this Consent Order. It is FURTHER AGREED that, contingent upon Respondent Val's
4 compliance with this Consent Order, \$500 of the fine (the "stayed fine") shall be stayed for one year
5 from the date of this Consent Order unless lifted pursuant to Paragraph H. If the Department does not
6 seek to lift the stay and impose the stayed fine pursuant to Paragraph H, the stayed fine shall expire
7 without further notice or action by the Department. It is FURTHER AGREED that, if Respondent
8 Val fails to comply with this Consent Order, the Department may lift the stay and impose the \$500
9 stayed fine pursuant to Paragraph H, at which time Respondent Val shall pay the stayed fine in the
10 form of a cashier's check made payable to the "Washington State Treasurer."

11 **H. Lifting of Stays and Imposition of Stayed Prohibition and Stayed Fine.** It is AGREED
12 that:

- 13 1. If, during the one-year stays, the Department determines that Respondent Val has not
14 complied with this Consent Order and the Department seeks to lift the stays and
15 impose the stayed prohibition and stayed fine, the Department will first serve
16 Respondent Val with a written notice of alleged noncompliance.
- 17 2. The notice will include:
 - 18 i. A description of the alleged noncompliance;
 - 19 ii. A statement that the Department seeks to lift the stays and impose the stayed
20 prohibition and stayed fine;
 - 21 iii. Notice that Respondent Val can contest the notice of alleged noncompliance
22 by either requesting an adjudicative hearing before an administrative law judge
23 (ALJ) from the Office of Administrative Hearings or by submitting a written

1 response to the Department contesting the alleged noncompliance; and

2 iv. Notice that the process for lifting the stays applies only to this Consent Order.

3 3. Respondent Val has 20 days from the date of service of the notice of alleged
4 noncompliance to submit a written request to the Department for an adjudicative
5 hearing.

6 4. The scope and issues of the adjudicative hearing are limited solely to whether or not
7 Respondent Val is in violation of the terms of this Consent Order.

8 5. At the conclusion of the adjudicative hearing, the ALJ will issue an initial decision.
9 Any party may file a Petition for Review of that initial decision with the Director of
10 the Department.

11 6. DEFAULT. If Respondent Val does not timely request an adjudicative hearing or
12 submit a written response contesting the notice of alleged noncompliance, the
13 Department may lift the stays and impose the stayed prohibition and stayed fine
14 without further notice.

15 **I. Change of Address.** It is AGREED that for the duration of the period this Consent Order
16 is in effect, unless otherwise agreed to in writing by the Department, Respondent Val shall provide
17 the Department with a mailing address and telephone number at which Respondent Val can be
18 contacted and Respondent Val shall notify the Department in writing of any changes to her mailing
19 address or telephone number within fifteen days of any such change.

20 **J. Complete Cooperation with the Department.** It is AGREED that, upon written request
21 by the Department, Respondent Val shall provide the Department truthful and complete sworn
22 statements outlining Respondent Val's activities with respect to Adam Wayne Canter and Guaranteed
23 Rate, Inc., and any and all persons involved or in any way associated with Adam Wayne Canter and

1 Guaranteed Rate, Inc., including but not limited to owners, employees, independent contractors,
2 agents, businesses and persons with whom Adam Wayne Canter and Guaranteed Rate, Inc. dealt,
3 communicated, or otherwise related. The “sworn statements” may take the form of affidavits,
4 declarations, or deposition testimony, at the Department’s discretion. In addition to providing sworn
5 statements, it is AGREED that, upon written request by the Department, Respondent Val shall
6 cooperate fully, truthfully, and completely with the Department and provide any and all information
7 known to her relating in any manner to Adam Wayne Canter and Guaranteed Rate, Inc. and any and
8 all persons involved or in any way associated with Adam Wayne Canter and Guaranteed Rate, Inc.,
9 including but not limited to owners, employees, independent contractors, agents, businesses and
10 persons with whom Adam Wayne Canter and Guaranteed Rate, Inc., communicated, or otherwise
11 related. It is FURTHER AGREED that, upon written request by the Department, Respondent Val
12 shall provide any and all documents, writings or materials, or objects or things of any kind in her
13 possession or under her care, custody, or control that she is authorized to possess, obtain, or distribute
14 relating directly or indirectly to all areas of inquiry and investigation. It is FURTHER AGREED that
15 Respondent Val shall testify fully, truthfully, and completely at any and all proceedings related to any
16 Department investigation or enforcement action or both related to any and all persons involved or in
17 any way associated with Adam Wayne Canter and Guaranteed Rate, Inc., and any respondents named
18 therein. A failure to cooperate fully, truthfully, and completely is a breach of this Consent Order.

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

23 **L. Voluntarily Entered.** It is AGREED that Respondent Val has voluntarily entered into

1 this Consent Order, which is effective when signed by the Director’s designee.

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

4 **N. Counterparts.** This Consent Order may be executed by Respondent Val and her
5 representatives in any number of counterparts, including by facsimile or e-mail of a .pdf or similar
6 file, each of which shall be deemed to be an original, but all of which, taken together, shall constitute
7 one and the same Consent Order.

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1 **RESPONDENT:**

2 Christi Jo Val, by:

3 /s/
4 Christi Jo Val, Individually

3-4-2020
Date

5 Approved for Entry:

6 /s/
7 Patty A. Eakes, Attorney at Law
8 Calfo Eakes & Ostrovsky, LLP
Attorney for Respondent Christi Jo Val

3-6-2020
Date

9 DO NOT WRITE BELOW THIS LINE

10 THIS ORDER ENTERED THIS 11th DAY OF March, 2020.

11
12 /s/
13 Lucinda Fazio, Director
14 Division of Consumer Services
15 Department of Financial Institutions

16 Presented by:

17 /s/
18 DREW STILLMAN
19 Financial Legal Examiner

20 Approved by:

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

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

3 IN THE MATTER OF DETERMINING
4 Whether there has been a violation of the
5 Consumer Loan Act of Washington by:

6 GUARANTEED RATE, INC., NMLS No. 2611,
7 ADAM WAYNE CANTER, NMLS No. 140873,
8 and CHRISTI JO VAL, NMLS No. 167206,

Respondents.

No. C-19-2687-19-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO CEASE AND DESIST,
SUSPEND AND REVOKE LICENSES,
PROHIBIT FROM INDUSTRY, IMPOSE
FINES, COLLECT INVESTIGATION FEE,
REFUND FEES AND INTEREST, and
RECOVER COSTS AND EXPENSES

9 INTRODUCTION

10 Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial
11 Institutions of the State of Washington (Director) is responsible for the administration of chapter
12 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to
13 RCW 31.04.145, and based upon the facts available as of the date of this Statement of Charges, the
14 Director, through his designee, Division of Consumer Services Acting Director Richard St. Onge,
15 institutes this proceeding and finds as follows:

16 I. FACTUAL ALLEGATIONS

17 1.1 Respondents.

18 A. **Guaranteed Rate, Inc. (Respondent GRI)** was licensed by the Department of
19 Financial Institutions of the State of Washington (Department) to conduct business as a consumer
20 loan company on or about June 4, 2008, and continues to be licensed to date.

21 B. **Adam Wayne Canter (Respondent Canter)** was a loan originator and branch
22 manager for Respondent GRI between July 2018 and August 2019. Respondent Canter was licensed
23 by the Department to conduct business as a loan originator on or about June 28, 2013, and continued
24 to be licensed until he surrendered his license on April 16, 2019.

1 C. **Christi Jo Val (Respondent Val)** was a loan originator for Respondent GRI from
2 October 2018 to November 2019. Respondent Val was licensed by the Department to conduct
3 business as a loan originator on or about April 3, 2019, and continued to be licensed until she
4 surrendered her license on April 19, 2019.

5 **1.2 Unlicensed Loan Originators.** At least two individuals, including Respondent Val, engaged
6 in the business of a mortgage loan originator with respect to prospective borrowers and properties
7 located in the state of Washington. The individuals were working on behalf of Respondents GRI and
8 Canter and were not licensed with the Department at the time of the activity. The conduct occurred
9 between about November 2018 and March 2019.

10 **1.3 Aiding and Abetting Unlicensed Practice.** Between about November 2018 and March 2019,
11 Respondent GRI and Respondent Canter aided and abetted unlicensed practice in violation of the Act.

12 **1.4 Prohibited Representation.** On or about January 23, 2019, Respondent Val represented to a
13 prospective borrower in Washington that Respondent GRI offered the lowest rates.

14 **1.5 On-Going Investigation.** The Department's investigation into the alleged violations of the
15 Act by Respondents continues to date.

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

17 **2.1 Responsibility for Conduct of Employees.** Pursuant to RCW 31.04.165 and WAC 208-620-
18 372, a consumer loan company is responsible for any conduct violating the act or these rules by any
19 person employed, or engaged as an independent contractor, to work in the business covered by its
20 license.

21 **2.2 Unlicensed Loan Originators.** Based on the Factual Allegations set forth in Section I above,
22 Respondent GRI is in apparent violation of RCW 31.04.027(1)(b) and RCW 31.04.035 for engaging
23 in the business of a consumer loan company using individuals not licensed with the Department to
24 conduct the business of a mortgage loan originator. Additionally, based on the Factual Allegations set

1 forth in Section I above, Respondent Val is in apparent violation of RCW 31.04.221 for engaging in
2 the business of a mortgage loan originator without first obtaining a license from the Department.

3 **2.3 Aiding and Abetting Unlicensed Practice.** Based on the Factual Allegations set forth in
4 Section I above, Respondent GRI and Respondent Canter are in apparent violation of RCW
5 31.04.175(1) and WAC 208-620-570(8) for aiding or abetting an unlicensed person to practice in
6 violation of the Act.

7 **2.4 Prohibited Representation.** Based on the Factual Allegations set forth in Section I above,
8 Respondent Val and Respondent GRI are in apparent violation of RCW 31.04.027(1)(b) and WAC
9 208-620-630(5) for engaging in any unfair or deceptive practice toward any person by claiming that
10 Respondent GRI offered the lowest rates.

11 **2.5 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,
12 Respondents are in apparent violation of RCW 31.04.027(1)(a), (b), and (m) for directly or indirectly
13 employing any scheme, device, or artifice to defraud or mislead any person; for engaging in any
14 unfair or deceptive practice toward any person; and for violating any applicable state or federal law
15 relating to the activities governed by the Act.

16 **2.6 Requirement to Conduct Business in a Manner that is not Injurious or Illegal.** Based on
17 the Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW
18 31.04.165 by conducting business in an injurious manner that creates a reasonable likelihood of a
19 violation of any provision of the Act.

20 III. AUTHORITY TO IMPOSE SANCTIONS

21 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 31.04.165 and RCW
22 31.04.093(5)(a), the Director may issue orders directing a licensee, its employee, loan originator, or
23 other person subject to the Act to cease and desist from conducting business in a manner that is
24 injurious to the public or violates any provision of the Act.

1 **3.2 Authority to Revoke or Suspend License.** Pursuant to RCW 31.04.093(3), the Director may
2 revoke or suspend a license for knowingly or without the exercise of due care violating any provision
3 of the Act or any rule adopted under the Act, or if a fact or condition exists that, if it had existed at
4 the time of the original application for the license, would have allowed the director to deny the
5 application for the original license.

6 **3.3 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, including a violation of any applicable state or federal law relating to activities governed
10 by the Act.

11 **3.4 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of
12 up to one hundred dollars per day, per violation, upon the licensee, its employee or loan originator, or
13 any other person subject to the Act for any violation of the Act.

14 **3.5 Authority to Charge Examination Fee and Investigation Fee.** Pursuant to RCW
15 31.04.145(3), WAC 208-620-590, and WAC 208-620-610(7), every licensee examined or
16 investigated by the Director or the Director's designee shall pay for the cost of the examination or
17 investigation, calculated at the rate of \$69.01 per staff hour devoted to the examination or
18 investigation, and shall pay travel costs if the licensee maintains its records outside the state.

19 **3.6 Authority to Order Refund of Fees and Interest.** Pursuant to RCW 31.04.035(2) and RCW
20 31.04.093(5), the Director may issue an order directing the refund of fees and interest charged in a
21 transaction violating the Act.

22 **3.7 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director
23 may recover the state's costs and expenses for prosecuting violations of the Act.

24 //

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

2 Respondents' violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
3 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
4 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW
5 34.04.202, and RCW 31.04.205. Therefore, it is the Director's intent to ORDER that:

- 6 **4.1** Respondents Guaranteed Rate, Inc., Adam Wayne Canter, and Christi Jo Val cease
7 and desist from engaging in all conduct in violation of the Act.
- 8 **4.2** Respondent Guaranteed Rate, Inc.'s license to conduct the business of a consumer
9 loan company be suspended for a period of one year.
- 10 **4.3** Respondent Adam Wayne Canter's license to conduct the business of a mortgage loan
11 originator be revoked.
- 12 **4.4** Respondent Christi Jo Val's license to conduct the business of a mortgage loan
13 originator be revoked.
- 14 **4.5** Respondent Guaranteed Rate, Inc. be prohibited from the participation in the conduct
15 of the affairs of any consumer loan company subject to licensure by the Director, in
16 any manner, for a period of one year.
- 17 **4.6** Respondent Adam Wayne Canter be prohibited from the participation in the conduct
18 of the affairs of any consumer loan company subject to licensure by the Director, in
19 any manner, for a period of five years.
- 20 **4.7** Respondent Christi Jo Val be prohibited from the participation in the conduct of the
21 affairs of any consumer loan company subject to licensure by the Director, in any
22 manner, for a period of five years.
- 23 **4.8** Respondent Guaranteed Rate, Inc. pay a fine. As of the date of this Statement of
24 Charges, this fine totals \$10,000.
- 4.9** Respondent Adam Wayne Canter pay a fine. As of the date of this Statement of
Charges, this fine totals \$5,000.
- 4.10** Respondent Christi Jo Val pay a fine. As of the date of this Statement of Charges, this
fine totals \$1,000.
- 4.11** Respondent Guaranteed Rate, Inc. refund all nonthird-party fees charged in connection
with the origination of residential mortgage loans, as well as all fees and interest
charged in the making of nonresidential loans, to all Washington borrowers who paid
such fees or interest with respect to loans originated, in whole or in part, by

1 individuals working for Respondent Guaranteed Rate, Inc. who were not licensed at
2 the time the individuals were working on the loans.

3 **4.12** Respondents Guaranteed Rate, Inc., Adam Wayne Canter, and Christi Jo Val jointly
4 and severally pay an investigation fee. As of the date of this Statement of Charges, the
5 investigation fee totals \$1,900.

6 **4.13** Respondents Guaranteed Rate, Inc., Adam Wayne Canter, and Christi Jo Val maintain
7 records in compliance with the Act and provide the Department with the location of
8 the books, records and other information relating to Respondents' consumer loan
9 business, and the name, address and telephone number of the individual responsible
10 for maintenance of such records in compliance with the Act.

11 **4.14** Respondents Guaranteed Rate, Inc., Adam Wayne Canter, and Christi Jo Val pay the
12 Department's costs and expenses for prosecuting violations of the Act in an amount to
13 be determined at hearing or by declaration with supporting documentation in event of
14 default by one or more Respondents.

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1 **V. AUTHORITY AND PROCEDURE**

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

10
11 Dated this 27th day of November, 2019.

12
13 /s/ _____
14 RICHARD ST. ONGE
15 Acting Director
16 Division of Consumer Services
17 Department of Financial Institutions

18 Presented by:

19 /s/ _____
20 DREW STILLMAN
21 Financial Legal Examiner

22 Approved by:

23 /s/ _____
24 STEVEN C. SHERMAN
Enforcement Chief