

ORDER SUMMARY – Case Number: C-19-2716

Name: Amstar Services a/k/a Financial Investment Services Corporation
d/b/a Home Relief Services, Michael D. Grinnell, Infocom
Entertainment Ltd., Inc. d/b/a Atlantic Pacific Service, and
Roger Dyer

Order Number: C-19-2716-20-FO01

Effective Date: June 3, 2020

License Number: NMLS UL-Amstar 1999562, FISC 1999563, Home Relief Services
1999565, Infocom dba Atlantic Pacific Services 1999568, Grinnell
1999559, Dyer 1999560

License Effect: N/A

Not Apply Until: 5 year ban

Not Eligible Until: _____

Prohibition/Ban Until: 6/3/2025

Investigation Costs	\$ 1,800		Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Fine	\$ 5,000	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
Restitution	\$ 2,048	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
No. of Victims:		1		

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
6 OF THE MORTGAGE BROKER PRACTICES
7 ACT OF WASHINGTON BY:

No. C-19-2716-20-FO01

FINAL ORDER

8 AMSTAR SERVICES a/k/a FINANCIAL
9 INVESTMENT SERVICES CORPORATION
10 d/b/a HOME RELIEF SERVICES,

11 MICHAEL D. GRINNELL,
12 President, and Owner,

13 INFOCOM ENTERTAINMENT LTD., INC.
14 d/b/a ATLANTIC PACIFIC SERVICE,

and

15 ROGER DYER,
16 Sole Owner,

17 Respondents.

18 I. DIRECTOR'S CONSIDERATION

19 A. Default. This matter has come before the Director of the Department of Financial
20 Institutions of the State of Washington (Director), through his designee, Consumer Services Division
21 Director Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On April 3, 2020, the
22 Director, through the Director's designee, issued a Statement of Charges and Notice of Intent to Enter
23 an Order to Cease and Desist Business, Prohibit from Industry, Order Restitution, Impose Fine,
24 Collect Investigation Fee, and Recover Costs and Expenses (Statement of Charges) against Amstar
Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D.
Grinnell, Infocom Entertainment Ltd., Inc., d/b/a Atlantic Pacific Service, and Roger Dyer
(collectively "Respondents"). A copy of the Statement of Charges is attached and incorporated into

1 this order by this reference. The Statement of Charges was accompanied by a cover letter dated April
2 10, 2020, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application
3 for Adjudicative Hearing for each Respondent (collectively, accompanying documents).

4 On April 10, 2020, the Department served Respondents with the Statement of Charges and
5 accompanying documents by First-Class mail and Federal Express overnight delivery. On April 13,
6 2020, the documents sent by Federal Express overnight delivery were delivered. The documents sent
7 by First-Class mail were not returned to the Department by the United States Postal Service.

8 Respondents did not request an adjudicative hearing within twenty calendar days after the
9 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for
10 in WAC 208-08-050(2).

11 B. Record Presented. The record presented to the Director's designee for review and for
12 entry of a final decision included the following: Statement of Charges, cover letter dated April 10,
13 2020, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
14 Adjudicative Hearing for each Respondent, with documentation for service.

15 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the
16 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

17 II. FINAL ORDER

18 Based upon the foregoing, and the Director's designee having considered the record and being
19 otherwise fully advised, NOW, THEREFORE:

20 A. IT IS HEREBY ORDERED, That:

- 21 1. Respondents Amstar Services a/k/a Financial Investment Services Corporation
22 d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd.,
23 Inc. d/b/a Atlantic Pacific Service, and Roger Dyer cease and desist engaging in
the business of a mortgage broker and/or loan originator.

2. Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer are prohibited from participation, in any manner, in the conduct of the affairs of any mortgage broker subject to licensure by the Director for a period of five years.
3. Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer jointly and severally pay restitution to Consumer S.C. in the amount of \$2,048.
4. Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer jointly and severally pay a fine of \$5,000.
5. Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer jointly and severally pay an investigation fee of \$1,800.
6. Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer maintain records in compliance with the Mortgage Broker Practices Act and provide the Department with the location of the location of the books, records and other information relating to Respondents' mortgage broker business, and the name, address, and telephone number of the individual responsible for maintenance of such records in compliance with the Mortgage Broker Practices Act.

B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

1 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the
2 date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a
3 written notice specifying the date by which it will act on a petition.

4 C. Stay of Order. The Director's designee has determined not to consider a Petition to
5 Stay the effectiveness of this order. Any such requests should be made in connection with a Petition
6 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

7 D. Judicial Review. Respondents have the right to petition the superior court for judicial
8 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for
9 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

10 E. Non-compliance with Order. If you do not comply with the terms of this order,
11 including payment of any amounts owed within 30 days of receipt of this order, the Department may
12 seek its enforcement by the Office of the Attorney General to include the collection of the fines, fees,
13 and restitution imposed herein. The Department also may assign the amounts owed to a collection
14 agency for collection.

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1 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial
2 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
3 attached hereto.

4 DATED this 3rd day of June, 2020.

6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

8 /s/ _____
9 Lucinda Fazio, Director
10 Division of Consumer Services

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 MORTGAGE BROKER PRACTICES
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8 AMSTAR SERVICES a/k/a FINANCIAL
9 INVESTMENT SERVICES CORPORATION
10 d/b/a HOME RELIEF SERVICES,

11 MICHAEL D. GRINNELL,
12 President, and Owner,

13 INFOCOM ENTERTAINMENT LTD., INC.
14 d/b/a ATLANTIC PACIFIC SERVICE,

15 and

16 ROGER DYER,
17 Sole Owner,

18 Respondents.

No. C-19-2716-20-SC01

STATEMENT OF CHARGES and
NOTICE OF INTENT TO ENTER AN
ORDER TO CEASE AND DESIST
BUSINESS, PROHIBIT FROM INDUSTRY,
ORDER RESTITUTION, IMPOSE FINE,
COLLECT INVESTIGATION FEE, and
RECOVER COSTS AND EXPENSES

19 **INTRODUCTION**

20 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of
21 Financial Institutions of the State of Washington (Director) is responsible for the administration of
22 chapter 19.146 RCW, the Mortgage Broker Practices Act (Act). After having conducted an
23 investigation pursuant to RCW 19.146.235, and based upon the facts available as of the date of this
24 Statement of Charges, the Director, through his designee, Division of Consumer Services Director
Lucinda Fazio, institutes this proceeding and finds as follows:

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1 **I. FACTUAL ALLEGATIONS**

2 **1.1 Respondents.**

3 **a. Respondent Amstar Services a/k/a Financial Investment Services Corporation d/b/a**
4 **Home Relief Services (Respondent Amstar)** has never been licensed by the Department of Financial
5 Institutions of the State of Washington (Department) to conduct business as a mortgage broker.

6 **b. Respondent Michael D. Grinnell (Respondent Grinnell)** is the president and owner of
7 Respondent Amstar. Respondent Grinnell has never been licensed by the Department to conduct
8 business as a mortgage broker or loan originator.

9 **c. Respondent Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service**
10 **(Respondent Infocom)** has never been licensed by the Department to conduct business as a mortgage
11 broker.

12 **d. Respondent Roger Dyer (Respondent Dyer)** is the sole owner of Respondent Infocom.
13 Respondent Dyer has never been licensed by the Department to conduct business as a mortgage broker
14 or loan originator.

15 **1.2 Unlicensed Activity.** Between at least August to November 2018, Respondents offered to
16 provide residential mortgage loan modification services to at least one Washington consumer for a
17 residential mortgage loan secured by real property located in Washington State while not licensed by
18 the Department to provide those services. Respondents entered into a contractual relationship with at
19 least one Washington consumer to provide residential mortgage loan modification services while not
20 licensed by the Department to provide those services. Consumer S.C. paid Respondents \$2,408 for
21 residential loan modification services.

22 **1.3 Misrepresentations and Omissions.** Respondents represented that they were licensed to
23 provide the residential mortgage loan modification services or omitted disclosing that they were not
24 licensed to provide those services.

1 **1.4 Advance Fee Violations.** Respondents collected advance fees for providing residential
2 mortgage loan modification services.

3 **1.5 Failed to Comply with the Director’s Authority to Conduct Investigations and Omission**
4 **of Material Fact.** The Department issued subpoenas to Respondents on October 2, 2019.
5 Respondents were obligated to respond to the Department by October 17, 2019. To date,
6 Respondents have not submitted a response to the Department’s subpoenas.

7 **1.6 On-Going Investigation.** The Department’s investigation into the alleged violations of the
8 Act by Respondents continues to date.

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

10 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14), “Mortgage broker”
11 means any person who for direct or indirect compensation or gain, or in the expectation of direct or
12 indirect compensation or gain (a) assists a person in obtaining or applying to obtain a residential
13 mortgage loan or performs residential mortgage loan modification services or (b) holds himself or
14 herself out as being able to assist a person in obtaining or applying to obtain a residential mortgage
15 loan or provide residential mortgage loan modification services.

16 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11)(a) “Loan originator”
17 means an individual who for direct or indirect compensation or gain or in the expectation of direct or
18 indirect compensation or gain performs residential mortgage loan modification services or holds
19 himself or herself out as being able to perform residential mortgage loan modification services.

20 **2.3 Prohibited Acts.** Based on the Factual Allegations set forth in Section I, Respondents are in
21 apparent violation of RCW 19.146.0201(2) and (3) for engaging in an unfair or deceptive practice
22 toward any person and obtaining property by fraud or misrepresentation.

23 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual
24 Allegations set forth in Section I, Respondents are in apparent violation of RCW 19.146.200(1) for

1 engaging in the business of a mortgage broker without first obtaining and maintaining a license under
2 the Act.

3 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual
4 Allegations set forth in Section I, Respondent Grinnell and Respondent Dyer are in apparent violation
5 of RCW 19.146.200(1) for engaging in the business of a loan originator without first obtaining and
6 maintaining a license under the Act.

7 **2.6 Prohibition against Taking Advance Fees.** Based on the Factual Allegations set forth in
8 Section I, Respondents are in apparent violation of RCW 19.146.0201(11) and 12 C.F.R. §1015
9 (Regulation O) for taking advance fees for loan modification services.

10 **2.7 Requirement to Comply with the Department's Investigative Authority.** Based on the
11 Factual Allegations set forth in Section I, Respondents are in apparent violation of RCW
12 19.146.235(1) and (2) for failing to comply with the Department's investigative authority.

13 III. AUTHORITY TO IMPOSE SANCTIONS

14 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(3), the
15 Director may issue orders directing any person subject to the Act to cease and desist from conducting
16 business.

17 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(4), the Director may
18 issue orders prohibiting from participation in the conduct of the affairs of a licensed mortgage broker,
19 or any person subject to licensing under the Act for any violation of the Act.

20 **3.3 Authority to Order Restitution and Refunds.** Pursuant to RCW 19.146.220(2), the
21 Director may order restitution and refunds against any person subject to the Act for any violations of
22 the Act.

23 **3.4 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines
24 against any person subject to the Act for any violation of the Act.

1 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-
2 520(9) and (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per
3 hour for an examiner's time devoted to an investigation.

4 **3.6 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director
5 may recover the state's costs and expenses for prosecuting violations of the Act.

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

7 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC,
8 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
9 Sanctions, constitute a basis for the entry of an Order under RCW 19.146.220, RCW 19.146.221, and
10 RCW 19.146.223. Therefore, it is the Director's intent to ORDER that:

11 **4.1** Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a
12 Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a
13 Atlantic Pacific Service, and Roger Dyer cease and desist engaging in the business of a
mortgage broker and/or loan originator.

14 **4.2** Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a
15 Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a
16 Atlantic Pacific Service, and Roger Dyer be prohibited from participation, in any
manner, in the conduct of the affairs of any mortgage broker subject to licensure by
the Director for a period of five years.

17 **4.3** Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a
18 Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a
Atlantic Pacific Service, and Roger Dyer jointly and severally pay restitution totaling
\$2,408 to the consumer identified in paragraph 1.2 of this Statement of Charges.

19 **4.4** Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a
20 Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a
Atlantic Pacific Service, and Roger Dyer jointly and severally pay a fine. As of the
date of this Statement of Charges, the fine totals \$5,000.

21 **4.5** Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a
22 Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a
23 Atlantic Pacific Service, and Roger Dyer jointly and severally pay an investigation fee.
As of the date of this Statement of Charges, the investigation fee totals \$1,800.

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4.6 Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondents' mortgage broker business, and the name, address and telephone number of the individual responsible for maintenance of such records in compliance with the Act.

4.7 Respondents Amstar Services a/k/a Financial Investment Services Corporation d/b/a Home Relief Services, Michael D. Grinnell, Infocom Entertainment, Ltd., Inc. d/b/a Atlantic Pacific Service, and Roger Dyer 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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