

TERMS COMPLETE

**ORDER SUMMARY – Case Number: C-20-2904**

**Name(s):** Sean Anthony Kolbinskie

**Order Number:** C-20-2904-20-FO01

**Effective Date:** 9/3/20

**License Number:** 357156  
**Or NMLS Identifier [U/L]**

**License Effect:** Application Denied

**Not Apply Until:** N/A

**Not Eligible Until:** N/A

**Prohibition/Ban Until:** N/A

<b>Investigation Costs</b>	\$ N/A		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

**Comments:**

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

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IN THE MATTER OF INVESTIGATING the  
Mortgage Loan Originator License Application  
under the Consumer Loan Act of Washington by:

No.: C-20-2904-20-FO01

SEAN ANTHONY KOLBINSKIE, NMLS No.  
357156,

FINAL ORDER

Respondent.

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I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through his designee, Consumer Services Division Director Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On June 10, 2020, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intent to Enter an Order to Deny License Application (Statement of Charges) against Sean Anthony Kolbinskie (Respondent). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated June 11, 2020, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On June 11, 2020, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and by Federal Express overnight delivery. The Department received confirmation that the documents sent by Federal Express were delivered on June 12, 2020. The documents sent by First-Class mail were not returned to the Department by the United States Postal Service.

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

4 B. Record Presented. The record presented to the Director's designee for her review and  
5 for entry of a final decision included the following: Statement of Charges, cover letter dated June 11,  
6 2020, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for  
7 Adjudicative Hearing for Respondent, with documentation for service.

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

10 II. FINAL ORDER

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

13 A. IT IS HEREBY ORDERED, That: Respondent Sean Anthony Kolbinskie's  
14 application for a mortgage loan originator license is denied.

15 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
16 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
17 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
18 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
19 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
20 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
21 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. Respondent has 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. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
11 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
12 attached hereto.

13 DATED this 3rd day of September, 2020.

14 STATE OF WASHINGTON  
15 DEPARTMENT OF FINANCIAL INSTITUTIONS

16 /s/  
17 Lucinda Fazio, Director  
18 Division of Consumer Services  
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1 **STATE OF WASHINGTON**  
2 **DEPARTMENT OF FINANCIAL INSTITUTIONS**  
3 **DIVISION OF CONSUMER SERVICES**

4 IN THE MATTER OF INVESTIGATING the  
5 Mortgage Loan Originator License Application  
6 under the Consumer Loan Act of Washington by:

7 SEAN ANTHONY KOLBINSKIE, NMLS No.  
8 357156,

9 Respondent.

No.: C-20-2904-20-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO ENTER AN  
ORDER TO DENY LICENSE  
APPLICATION

10 **INTRODUCTION**

11 Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial  
12 Institutions of the State of Washington (Director) is responsible for the administration of chapter  
13 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to  
14 RCW 31.04.247, and based upon the facts available as of the date of this Statement of Charges, the  
15 Director, through his designee, Division of Consumer Services Director Lucinda Fazio, institutes this  
16 proceeding and finds as follows:

17 **I. FACTUAL ALLEGATIONS**

18 **1.1 Respondent Sean Anthony Kolbinskie (Respondent)** submitted an application to the  
19 Department of Financial Institutions of the State of Washington (Department) for a mortgage loan  
20 originator license under Contour Mortgage Corporation, a consumer loan company licensed under the  
21 Act. The license application was received by the Department, through the Nationwide Mortgage  
22 Licensing System on or about March 20, 2020.

23 **1.2 Prior Criminal Conviction.** On or about August 15, 2016, in the District Court for Harford  
24 County, in Harford, Maryland, Respondent pled guilty to one count of a misdemeanor crime of  
dishonesty. This prior criminal conviction is the equivalent of at least a gross misdemeanor under  
Washington law.

1 **1.3 On-Going Investigation.** The Department's investigation into Respondent continues to date.

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

3 **2.1 Requirement of No Prior Criminal Convictions.** Based on the Factual Allegations set forth  
4 in Section I above, Respondent fails to meet the requirements of RCW 31.04.247(1)(d) and WAC  
5 208-620-710(4)(c) by having pled guilty to, a misdemeanor under Maryland law involving dishonesty  
6 or financial misconduct that is the equivalent of at least a gross misdemeanor under Washington law,  
7 during the seven-year period preceding the date of the application for licensing.

8 **2.2 Character and Fitness.** Based on the Factual Allegations set forth in Section I above,  
9 Respondent fails to meet the requirements of RCW 31.04.247(e) by failing to demonstrate character  
10 and general fitness such as to command the confidence of the community and to warrant a  
11 determination that the mortgage loan originator will operate honestly, fairly, and efficiently within  
12 the purposes of the Act.

13 **III. AUTHORITY TO IMPOSE SANCTIONS**

14 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW  
15 31.04.093(2), the Director may deny applications for licenses. Pursuant to RCW 31.04.247(2), the  
16 Director shall not issue a mortgage loan originator license if the director finds the conditions of RCW  
17 31.04.247 have not been met.

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

19 The applicable provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in  
20 the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions,  
21 constitute a basis for the entry of an Order under RCW 31.04.165, RCW 31.04.205, and RCW  
22 31.04.247. Therefore, it is the Director's intent to ORDER that:

23 4.1 Respondent Sean Anthony Kolbinskie's application for a mortgage loan originator  
24 license be denied.

1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intent to Enter an Order to Deny License  
3 Application (Statement of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW  
4 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05  
5 RCW, the Administrative Procedure Act. Respondent may make a written request for a hearing as  
6 set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO  
7 DEFEND accompanying this Statement of Charges.

8 Dated this  10th  day of June, 2020.

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10  /s/   
11 Lucinda Fazio, Director  
12 Division of Consumer Services  
Department of Financial Institutions

13 Presented by:

14  
15  /s/   
16 KENDALL H. FREED  
Financial Legal Examiner

17 Approved by:

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19  /s/   
20 STEVEN C. SHERMAN  
Enforcement Chief