

**ORDER SUMMARY – Case Number: C-20-2991**

**Names:** Secured Marketing Concepts Corp., d/b/a Pacific One Lending and Christopher Nelson Beard

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**Order Number:** C-20-2991-21-CO01

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**Effective Date:** 3/4/21

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**NMLS Numbers:** Secured Marketing Concepts Corp., NMLS No. 1543  
Christopher Nelson Beard, NMLS No. 50833

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**License Effect:** Secured Marketing Concepts’ and Christopher Nelson Beard’s licenses are revoked-Stayed for two (2) years.

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**Not Apply Until:** N/A

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**Not Eligible Until:** N/A

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

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<b>Investigation Costs</b>	\$ 2,000		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 3/4/2021
<b>Fine</b>	\$ 30,000, with \$15,000 paid and \$15,000 stayed	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 3/4/2021
<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**

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

No.: C-20-2991-21-CO01

CONSENT ORDER

SECURED MARKETING CONCEPTS CORP., d/b/a  
PACIFIC ONE LENDING,  
NMLS No. 1543, and

CHRISTOPHER NELSON BEARD, 50% Owner and  
Designated Broker, NMLS No. 50833,

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Lucinda Fazio, Division of Consumer Services Director, and Secured Marketing Concepts Corp., d/b/a Pacific One Lending (Respondent Secured Marketing Concepts), and Christopher Nelson Beard, 50% owner and Designated Broker of Respondent Secured Marketing Concepts (Respondent Beard), by and through their attorney, Jessica M. Creager, and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 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 Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-20-2991-20-SC01 (Statement of Charges), entered October 29, 2020 (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondents hereby agree to the Department's entry of this Consent Order and further agree that the issues raised in the above-captioned matter may be economically and efficiently settled by entry of this

1 Consent Order. The parties intend this Consent Order to fully resolve the Statement of Charges. Respondents  
2 are agreeing not to contest the Statement of Charges in consideration of the terms of this Consent Order.

3 Based upon the foregoing:

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

6 **B. Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a hearing  
7 before an administrative law judge, and hereby waive their right to a hearing and any and all administrative  
8 and judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly,  
9 Respondents, by their signatures and the signatures of their representatives below, withdraw their appeal to the  
10 Office of Administrative Hearings.

11 **C. Mortgage Broker and Mortgage Loan Originator License Revocations (Stayed).** It is  
12 AGREED that Respondent Secured Marketing Concepts' mortgage broker license and Respondent Beard's  
13 mortgage loan originator license are revoked. It is FURTHER AGREED that the license revocations shall be  
14 stayed for a period of two (2) years from the date of entry of this Consent Order (Stayed Revocations) unless  
15 lifted pursuant to Paragraph I provided:

- 16 1. Within two (2) months of entry of this Consent Order, Respondent Secured Marketing  
17 Concepts shall either retain a new Designated Broker with compliance experience, not  
18 objectionable to the Department, OR shall retain a compliance consultant, not objectionable to  
19 the Department, who will continuously review compliance of all residential mortgage loans  
20 subject to the Act and will routinely prepare findings and recommendations to improve  
21 compliance; and
- 22 2. Respondent Secured Marketing Concepts shall either retain the new Designated Broker OR  
23 retain the compliance consultant for at least two years from the date of entry of this Consent  
24 Order; and
- 25 3. Respondent Secured Marketing Concepts receives a satisfactory compliance examination risk  
26 rating as set forth in Paragraph H.

27 If the Department does not seek to lift the stays and impose the Stayed Revocations pursuant to Paragraph I,  
28 the Stayed Revocations shall expire without further notice of action by the Department.

1           **D. Application to Renew Mortgage Broker and Mortgage Loan Originator Licenses.** Should  
2 Respondents apply to the Department to renew their mortgage broker license and mortgage loan originator  
3 license, the Department will not use the fact of the Consent Order itself, or the allegations in the Statement of  
4 Charges as part of the Department’s review of the renewal applications.

5           **E. Fine (Partially Stayed).** It is AGREED that Respondents shall pay a fine to the Department in  
6 the amount of \$30,000, with \$15,000 paid (Paid Fine), and \$15,000 stayed (Stayed Fine). The Paid Fine shall  
7 be paid pursuant to Paragraph G. The Stayed Fine shall be stayed for a period of two (2) years from the date of  
8 entry of this Consent Order contingent on Respondents’ compliance with the Act, this Consent Order, and a  
9 satisfactory compliance examination risk rating as detailed in Paragraph H. Absent any action by the  
10 Department to lift the Stayed Fine pursuant to Paragraph I, Respondents’ obligation to pay the Stayed Fine  
11 shall expire two years from the date of entry of this Consent Order without further action or notice by the  
12 Department.

13           **F. Investigation Fee.** It is AGREED that Respondents shall pay an Investigation Fee of \$2,000  
14 pursuant to Paragraph G.

15           **G. Payments.** It is AGREED that the Paid Fine and the Investigation Fee shall be paid together in  
16 one \$17,000 cashier’s check made payable to the “Washington State Treasurer.” The payment shall be  
17 delivered to the Department with this Consent Order fully executed by Respondents.

18           **H. Compliance Examination.** It is AGREED that subject to the Department’s availability, within  
19 two (2) years of the entry of this Consent Order, at Respondents’ cost, the Department will conduct a full  
20 scope compliance examination of Respondents’ business, including examining Respondents’ compliance with  
21 this Consent Order, the Act, related rules, applicable federal law, policies, and procedures. Only violations  
22 that occur after the date of entry of this Consent Order will be considered for assessing compliance with this  
23 Consent Order. At the conclusion of the compliance examination, a Report of Examination (ROE) Risk  
24 Rating will be generated by the Department. It is further AGREED that a Risk Rating of 1 or 2 will result in  
the Stayed Revocations and the Stayed Fine expiring without further notice or action by the Department; a

1 Risk Rating of 3 *may* result in the Department lifting the stays and imposing the Stayed Revocations and/or  
2 Stayed Fine on Respondents pursuant to Paragraph H; and a Risk Rating of 4 or 5 *will* result in the Department  
3 lifting the stays and imposing the Stayed Revocations and Stayed Fine on Respondents pursuant to Paragraph  
4 H, and may result in the impositions of other sanctions necessary for the protection of the public.

5 **I. Lifting of Stay and Imposition of Stayed Revocation and/or Stayed Fine.** It is AGREED that:

- 6 **1.** If during the stay, the Department determines that Respondents have not complied with the  
7 Act, related rules, or this Consent Order, and the Department seeks to lift the stays and impose  
8 the Stayed Revocations and/or Stayed Fine, the Department will first serve Respondents with  
9 a written notice of alleged noncompliance.
- 10 **2.** The notice will include:
- 11 **a.** A description of the alleged noncompliance;
  - 12 **b.** A statement that the Department seeks to lift the stay and impose the Stayed  
13 Revocations and/or Stayed Fine;
  - 14 **c.** Notice that either Respondents can contest the Department's determination of  
15 noncompliance either in an adjudicative hearing before an Administrative Law Judge  
16 (ALJ) of the Office of Administrative Hearings (OAH), or by submitting a written  
17 response to the Department contesting the alleged noncompliance; and
  - 18 **d.** Notice that the notification and adjudicative hearing process provided in this  
19 Paragraph applies only to this Consent Order solely in the event either Respondent  
20 chooses to contest the Department's determination of noncompliance.
- 21 **3.** Any Respondent who wishes to contest the Department's determination of noncompliance  
22 will have twenty (20) days from the date of receipt of the Department's notice to submit a  
23 written request to the Department for an adjudicative hearing.
- 24 **4.** The scope and issues of the adjudicative hearing are limited solely to whether or not  
Respondents are in violation of the terms of this Consent Order.
- 5.** At the conclusion of the hearing, the ALJ will issue an initial decision. Either party may file  
a Petition for Review of that initial decision with the Director of the Department.
- 6. DEFAULT:** If any Respondent does not timely either request an adjudicative hearing, or  
timely submit a written response contesting the alleged noncompliance, the Department will  
impose the Stayed Revocations and/or Stayed Fine and pursue whatever other enforcement  
action it deems necessary to enforce the Act and Consent Order.



1 Approved for Entry:

2 \_\_\_\_\_  
3 /s/ Jessica M. Creager, WSBA No.  
4 42183 Seattle Litigation Group,  
PLLC Attorney for Respondents

February 22, 2021  
Date

**DO NOT WRITE BELOW THIS LINE**

6 THIS ORDER ENTERED THIS 4th DAY OF March, 2021

8 \_\_\_\_\_  
9 /s/ Lucinda Fazio, Director  
10 Division of Consumer Services  
11 Department of Financial Institutions

10 Presented by:

12 \_\_\_\_\_  
13 /s/ KENDALL H. FREED  
14 Financial Legal Examiner

14 Approved by:

16 \_\_\_\_\_  
17 /s/ STEVEN C. SHERMAN  
18 Enforcement Chief

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

4 IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

5 SECURED MARKETING CONCEPTS CORP.,  
d/b/a PACIFIC ONE LENDING,  
6 NMLS No. 1543, and

7 CHRISTOPHER NELSON BEARD, 50% Owner  
and Designated Broker, NMLS No. 50833,

8 Respondents.

No. C-20-2991-20-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO ENTER AN  
ORDER TO REVOKE LICENSE, PROHIBIT  
FROM INDUSTRY, IMPOSE FINE,  
COLLECT INVESTIGATION FEE, and  
RECOVER COSTS AND EXPENSES

9  
10 INTRODUCTION

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

17 I. FACTUAL ALLEGATIONS

18 1.1 Respondents.

19 A. **Secured Marketing Concepts Corp., d/b/a Pacific One Lending (Respondent**  
20 **Secured Marketing Concepts)** was licensed by the Department of Financial Institutions of the State  
21 of Washington (Department) to conduct business as a mortgage broker on or about July 24, 2007, and  
22 continues to be licensed to date.

23 B. **Christopher Nelson Beard (Respondent Beard)** is a 50% owner of Respondent  
24 **Secured Marketing Concepts** and was issued a Designated Broker License by the Department when



1 Respondent Secured Marketing Concepts was first licensed by the Department in 2007. On or about  
2 November 10, 2009, the Department converted Respondent Beard's Designated Broker License to a  
3 license to conduct business as a mortgage loan originator and a Designated Broker Registration.  
4 Respondent Beard continues to be a licensed mortgage loan originator and the Designated Broker for  
5 Respondent Secured Marketing Concepts to date.

6 **1.2 2015 Examination, 2017 Statement of Charges, and 2017 Consent Agreement.** The  
7 Department conducted a full scope compliance examination of Respondent Secured Marketing  
8 Concepts in 2015. The Department issued a Report of Examination on or about September 30, 2015,  
9 identifying multiple violations of the Act. On or about May 19, 2017, the Department issued a  
10 Statement of Charges regarding the violations identified. On or about June 19, 2017, Respondent  
11 Secured Marketing Concepts and Respondent Beard entered into a Consent Agreement with the  
12 Department and agreed to review the Report of Examination and put practices and procedures into  
13 place designed to prevent future violations of the Act.

14 **1.3 2020 Examination.** The Department conducted a full scope compliance examination of  
15 Respondent Secured Marketing Concepts in 2020. The Department's examiners reviewed the five  
16 most recent loan files closed as of September 30, 2019. The Department issued a Report of  
17 Examination on or about August 31, 2020, identifying multiple violations of the Act as noted below.  
18 Two of the violations of the Act noted below are repeat violations also noted on the 2015 Report of  
19 Examination.

20 **1.4 Failed to Use a Licensed Third-Party Processor.** In one of the funded loan files,  
21 Respondents used a third-party processor to process a loan file that did not have a license with the  
22 Department.

23 **1.5 Failed to Display Required Information in Advertisements.** In at least seven instances,  
24 Respondents advertised using only the trade name of Pacific One Lending without also using the

1 company's main licensed name or the NMLS license number. This is a repeat violation from the  
2 2015 Examination of which Respondents were previously notified.

3 **1.6 Improper Use of Tradename.** In at least four instances, Respondents transacted business  
4 using only the trade name of Pacific One Lending on the rate lock agreement provided to Washington  
5 borrowers without also using either the main office licensed name or the NMLS license number as  
6 required.

7 **1.7 Advertised Using Prohibited and Misleading Statements and Images.** Respondents  
8 advertised on the internet using the following prohibited and misleading statements and images:

- 9 a. Advertised on Respondent Secured Marketing Concepts' website using the U.S.  
10 Department of Veterans Affairs emblem and logo and using official military service  
11 seals.
- 12 b. Advertised on Respondent Secured Marketing Concepts' website "...the lowest  
13 interest rates and closing costs possible."
- 14 c. Advertised on Yelp in two posts using the U.S. Department of Veterans Affairs  
15 emblem and logo and using official military service seals.
- 16 d. Advertised on Yelp that Respondent Secured Marketing Concepts can provide "...the  
17 lowest rates available in your area" and "...at the lowest rate no matter what your  
18 needs are."
- 19 e. Advertised on Facebook in three posts using the U.S. Department of Veterans Affairs  
20 emblem and logo and using official military service seals.
- 21 f. Advertised on Facebook in two posts stating that Respondent Secured Marketing  
22 Concepts aims "...to offer the most competitive wholesale rates..."
- 23 g. Advertised on Facebook, LinkedIn, and Manta, that Respondent Secured Marketing  
24 Concepts can provide "...the lowest rates available in your area" and can help  
borrowers find the right loan "...at the lowest rate no matter what your needs are."
- h. Advertised on Twitter that Respondent Secured Marketing Concepts' "mission is to  
offer the most competitive wholesale rates."

19 **1.8 Failed to Provide Written Notice on Borrower Paid Services.** In one loan file,  
20 Respondents failed to provide the borrower with any written notice on borrower paid services. In  
21 another loan file, Respondents failed to provide a borrower with a written notice on borrower paid  
22 services within three days of accepting a loan application.

23 **1.9 Failed to Maintain Records.** In one loan file, Respondents failed to maintain copies of the  
24 lender lock confirmation and final Closing Disclosure issued to a borrower. In another loan file,

1 Respondents failed to maintain a copy of the Loan Estimate issued to a borrower and were unable to  
2 produce a copy during the examination. Respondents subsequently produced a copy they obtained  
3 from the lender several months later with their response to the 2020 Examination. In another loan  
4 file, Respondents failed to maintain a copy of a Rate Lock Agreement issued to a borrower and were  
5 unable to produce a copy during the 2020 Examination. Respondents subsequently produced a copy  
6 they obtained from the lender several months later with their response to the 2020 Examination.

7 **1.10 Failed to Adhere to Tolerance Limits.** In three loan files, Respondents charged borrowers  
8 fees above the allowable tolerance limits.

9 **1.11 Failed to Provide Complete and Accurate Loan Estimates.** In three loan files,  
10 Respondents failed to provide borrowers with complete and accurate Loan Estimates. This is a repeat  
11 violation from the 2015 Examination of which Respondents were previously notified.

12 **1.12 Failed to Provide Complete and Accurate Privacy Policy Disclosure.** In one loan file,  
13 Respondents failed to provide a borrower with a privacy policy disclosure. In another loan file,  
14 Respondents provided a borrower with a privacy policy disclosure that was not complete or accurate.

15 **1.13 Failed to Timely Provide Homeownership Counseling List.** In one loan file, Respondents  
16 failed to provide a written list of Homeownership Counseling Organizations to a borrower within  
17 three days of receiving a residential mortgage loan application.

18 **1.14 Failed to Develop a Compliant Anti-Money Laundering Program.** Respondents failed to  
19 develop an anti-money laundering program that complies with the requirements of the Financial  
20 Crimes Enforcement Network.

21 **1.15 On-Going Investigation.** The Department's investigation into the alleged violations of the  
22 Act by Respondents continues to date.

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

2 **2.1 Responsibility for Conduct of Loan Originators.** Pursuant to RCW 19.146.245, a licensed  
3 mortgage broker is liable for any conduct violating the Act by the designated broker, a loan  
4 originator, or other licensed mortgage broker while employed or engaged by the licensed mortgage  
5 broker.

6 **2.2 Responsibility of Designated Broker.** Pursuant to RCW 19.146.200(3), every licensed  
7 mortgage broker must at all times have a designated broker responsible for all activities of the  
8 mortgage broker in conducting the business of a mortgage broker. A designated broker, principal, or  
9 owner who has supervisory authority over a mortgage broker is responsible for a licensee's,  
10 employee's, or independent contractor's violations of the Act if: the designated broker, principal, or  
11 owner directs or instructs the conduct or, with knowledge of the specific conduct, approves or allows  
12 the conduct; or the designated broker, principal, or owner who has supervisory authority over the  
13 licensed mortgage broker knows or by the exercise of reasonable care and inquiry should have known  
14 of the conduct, at a time when its consequences can be avoided or mitigated and fails to take  
15 reasonable remedial action.

16 **2.3 Requirement to Use a Licensed Third-Party Processor.** Based on the Factual Allegations  
17 set forth in Section I above, Respondents are in apparent violation of RCW 19.146.0201(2) and WAC  
18 208-660-300(13) for using a third party contractor loan processing company that was not licensed by  
19 the Department as a mortgage broker.

20 **2.4 Requirement to Provide Additional Information when Advertising Using a Trade Name.**  
21 Based on the Factual Allegations set forth in Section I above, Respondents are in apparent violation  
22 of RCW 19.146.0201(2) and WAC 208-660-446(3) for advertising using a trade name without also  
23 displaying the company's main licensed name or license number.

1 **2.5 Requirement to Provide Additional Information when Conducting Business Using a**

2 **Trade Name.** Based on the Factual Allegations set forth in Section I above, Respondents are in  
3 apparent violation of RCW 19.146.0201(2) and WAC 208-660-180(9) for transacting business using  
4 only a trade name without also using the main licensed name or license number.

5 **2.6 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondents  
6 are in apparent violation of RCW 19.146.0201 (2), and (7), and WAC 208-660-440(2) (a) and (b),  
7 (7), and (9), for engaging in an unfair or deceptive practice toward any person, making in any  
8 manner, any false or deceptive statement or representation with regard to the rates, points, or other  
9 financing terms or conditions for a residential mortgage loan, and for advertising using prohibited  
10 images and phrases.

11 **2.7 Requirement to Provide Written Notice on Borrower Paid Services.** Based on the Factual  
12 Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
13 19.146.030(2)(d) for failing to provide a written notice on borrower paid services within three  
14 business days of an application.

15 **2.8 Requirement to Maintain Accurate and Current Books and Records.** Based on the  
16 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
17 19.146.060 and WAC 208-660-450 for failing to keep all books and records in a location that is on  
18 file with and readily available to the Department until at least three years have elapsed following the  
19 effective period to which the books and records relate.

20 **2.9 Requirement to Adhere to Tolerance Limits.** Based on the Factual Allegations set forth in  
21 Section I above, Respondents are in apparent violation of RCW 19.146.0201(11) for failing to  
22 comply with the allowable tolerance limits for fees charged to borrowers set by Regulation Z, 12  
23 C.F.R. § 1026.19(e).

1 **2.10 Requirement to Provide Complete and Accurate Loan Estimates.** Based on the Factual  
2 Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
3 19.146.0201(11) for failing to provide borrowers with complete and accurate loan estimates as  
4 required by Regulation Z, 12 C.F.R. §1026.19(e)(1), §1026.37(a)(3), (4) and (13), (k)(1) and (2),  
5 (m)(2), (4) and (6).

6 **2.11 Requirement to Provide Complete and Accurate Privacy Policy Disclosure.** Based on the  
7 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
8 19.146.0201(11) for by failing to provide to consumers complete and accurate privacy policy notices  
9 as required by Regulation P, 12 C.F.R. §1016.4(a), (c)(1) and (2), including the Appendix.

10 **2.12 Requirement to Timely Provide Homeownership Counseling List.** Based on the Factual  
11 Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
12 19.146.0201(11) failing to provide a borrower a homeownership counseling list within three business  
13 days of receiving an application as required by Regulation X, 12 C.F.R. § 1024.20(a).

14 **2.13 Requirement to Maintain Compliant Anti-Money Laundering Policy.** Based on the  
15 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
16 19.146.0201(11) for failing to adhere to the anti-money laundering program requirements of the  
17 Financial Crimes Enforcement Network, Department of the Treasury, 31 C.F.R. §1029.210.

### 18 III. AUTHORITY TO IMPOSE SANCTIONS

19 **3.1 Authority to Revoke Licenses.** Pursuant to RCW 19.146.220(2), the Director may revoke  
20 licenses for any violation of the Act.

21 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(4), the Director may  
22 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a  
23 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed

1 mortgage broker or any person subject to licensing under the Act for any violation of the Act, or for  
2 failing to comply with any directive or order of the Director.

3 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
4 against a licensee for any violation of the Act.

5 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-  
6 520(9) & (11), and WAC 208-660-550(4)(a), the Department will charge forty-eight dollars per hour  
7 for an examiner's time devoted to an investigation.

8 **3.5 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director  
9 may recover the state's costs and expenses for prosecuting violations of the Act.

#### 10 **IV. NOTICE OF INTENT TO ENTER ORDER**

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

- 15
- 16 **4.1** Respondent Secured Marketing Concepts Corp.'s license to conduct the business of a  
mortgage broker be revoked.
- 17 **4.2** Respondent Christopher Nelson Beard's license to conduct the business of a mortgage  
18 loan originator and designated broker be revoked.
- 19 **4.3** Respondents Secured Marketing Concepts Corp. and Christopher Nelson Beard be  
prohibited from participation in the conduct of the affairs of any mortgage broker  
20 subject to licensure by the Director, in any manner, for a period of five years.
- 21 **4.4** Respondents Secured Marketing Concepts Corp. and Christopher Nelson Beard jointly  
and severally pay a fine. As of the date of this Statement of Charges, the fine totals  
22 \$40,000.
- 23 **4.5** Respondents Secured Marketing Concepts Corp. and Christopher Nelson Beard jointly  
and severally pay an investigation fee. As of the date of this Statement of Charges, the  
24 investigation fee totals \$2,064.00.

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**4.6** Respondents Secured Marketing Concepts Corp. and Christopher Nelson Beard maintain records in compliance with the Act and provide the Department with the location of the books, records and other information relating to Respondent Secured Marketing Concepts Corp.’s 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 Secured Marketing Concepts Corp. and Christopher Nelson Beard 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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