

ORDER SUMMARY – Case Number: C-20-3008

Name(s): Kristina Irene Wiest

Order Number: C-20-3008-20-CO01

Effective Date: 10/27/2020

License Number: 141048
Or NMLS Identifier [U/L]

License Effect: none

Not Apply Until: n/a

Not Eligible Until: n/a

Prohibition/Ban Until: n/a

Investigation Costs	\$ 500		Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 10/27/2020
Fine: \$10,000 w/ \$9,000 suspended 2 yrs	\$1,000	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 10/27/2020
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: 8 hrs additional Ethics CE required.

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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:

No. C-20-3008-20-CO01

CONSENT ORDER

KRISTINA IRENE WIEST,
Mortgage Loan Originator,
NMLS #141048,

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Lucinda Fazio, Director, Division of Consumer Services, and Kristina Irene Wiest
(Respondent), 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 Revised Code of Washington (RCW) 31.04, the Consumer Loan Act (Act), and RCW
34.05.060 of the Administrative Procedure Act, based on the following:

FINDINGS OF FACT

1.1 On or about January 27, 2017, Respondent obtained a license from the Department of
Financial Institutions of the State of Washington (Department) to conduct the business of a Mortgage
Loan Originator (MLO). Respondent's MLO license is presently active.

1.2 MLOs are required to personally complete a required number of Continuing Education (CE)
courses each year. For at least 2019, Respondent permitted another person to take her required CE
courses and certified through the Nationwide Mortgage Licensing System (NMLS) that she had
personally completed the courses.

1 **CONCLUSIONS OF LAW**

2 **2.1** Based on the above Findings of Fact, Respondent violated RCW 31.04.027(1)(h) and RCW
3 31.04.267(1) by failing to personally complete the required CE courses for 2019 and negligently
4 making a false statement concerning the completion of those courses.

5 **AGREEMENT AND ORDER**

6 The Department and Respondent have agreed upon a basis for resolution of the Findings of
7 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.04.093(7) and
8 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further
9 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
10 Consent Order. Respondent hereby admits the Findings of Fact and Conclusions of Law identified in
11 this Consent Order.

12 Based upon the foregoing:

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

15 **B. Waiver of Hearing.** It is AGREED that Respondent hereby waives any right it has to a hearing
16 and any and all administrative and judicial review of the issues raised in this matter or the resolution
17 reached herein.

18 **C. Additional CE Requirement.** It is AGREED and UNDERSTOOD that Respondent is
19 required to personally complete all required CE. It is further AGREED that shall complete eight (8)
20 hours of ethics training in addition to those required under RCW 31.04.267. The ethics training must
21 be approved by NMLS and completed within one year of the date of this Consent Order; with proof
22 of completion provided to the Department within 14 days of completion.

1 **D. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
2 \$10,000. It is further AGREED that \$9,000 of the fine shall be stayed conditioned upon
3 Respondent's compliance with this Consent Order.

4 **E. Lifting of Stay and Imposing Revocation.** It is AGREED that:

- 5 1. If the Department determines that Respondent has not complied with this Consent
6 Order to a degree sufficient to warrant imposition of the stayed fine and seeks to
7 lift the stay and impose the stayed fine, the Department will first notify
8 Respondent in writing of its determination.
- 9 2. The Department's notification will include:
 - 10 a) A description of the alleged noncompliance;
 - 11 b) A statement that because of the noncompliance, the Department seeks
12 to lift the stay and impose the fine;
 - 13 c) The opportunity for Respondent to contest the Department's
14 determination of noncompliance in an administrative hearing before an
15 Administrative Law Judge (ALJ) of the Office of Administrative
16 Hearings; and
 - 17 d) A copy of this Consent Order. The notification and hearing process
18 provided in this Consent Order applies only to this Consent Order. It is
19 solely provided in the event Respondent chooses to contest the
20 Department's determination of noncompliance.
- 21 3. Respondent will be afforded twenty (20) calendar days from the date of receipt of
22 the Department's notification to submit a written request to the Department for an
23 administrative hearing.
- 24 4. The scope and issues of the hearing are limited solely to whether or not
Respondent is in violation 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 with the Director of the Department.
6. If Respondent does not request the hearing within the stated time, the Department
will immediately impose the stayed fine and pursue whatever action it deems
necessary to obtain payment.

1 **F. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the
2 Department in the amount of \$500. The investigation fee and the \$1,000 non-stayed fine shall be
3 paid in the form of a cashier's check in the amount of \$1,500 made payable to the "Washington State
4 Treasurer" upon delivery of this Consent Order to the Department, properly dated and signed.

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

9 **H. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this
10 Consent Order, which is effective when signed by the Director's designee.

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

13 **RESPONDENT:**

14
15 /s/
Kristina Irene Wiest

10/20/2020
Date

16 **DO NOT WRITE BELOW THIS LINE**

17 THIS ORDER ENTERED THIS 27th DAY OF October, 2020.

18
19 /s/
20 Lucinda Fazio, Director
21 Division of Consumer Services
Department of Financial Institutions

22 Presented by:

23 /s/
STEVEN C. SHERMAN
Enforcement Chief