

## ORDER SUMMARY – Case Number: C-21-3078

**Name(s):** James Patrick Mejia

**Order Number:** C-21-3078-21-FO01

**Effective Date:** 5/14/21

**License Number:** NMLS # 1012630  
**Or NMLS Identifier [U/L]**

**License Effect:** Revoked

**Not Apply Until:** \_\_\_\_\_

**Not Eligible Until:** \_\_\_\_\_

**Prohibition/Ban Until:** 7 years from entry of order

<b>Investigation Costs</b>	\$ 807.41	Due 6/13/2021	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Fine</b>	\$ 7500.00	Due 6/13/2021	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

**Comments:** \_\_\_\_\_

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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-21-3078-21-FO01

7 JAMES PATRICK MEJIA,  
8 Mortgage Loan Originator,  
9 NMLS #1012630,

FINAL ORDER

Respondent.

10 **I. DIRECTOR'S CONSIDERATION**

11 A. Default. This matter has come before the Director of the Department of Financial  
12 Institutions of the State of Washington (Director), through his designee, Consumer Services Division  
13 Director Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On April 6, 2021, the  
14 Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter  
15 an Order to Revoke License, Prohibit from Industry, Collect Fine, Collect Investigation Fee, and Recover  
16 Costs and Expenses (Statement of Charges) against James Patrick Mejia (Respondent). A copy of the  
17 Statement of Charges is attached and incorporated into this order by this reference. The Statement of  
18 Charges was accompanied by a cover letter dated April 8, 2021, a Notice of Opportunity to Defend and  
19 Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively,  
20 accompanying documents).

21 On April 8, 2021, the Department served Respondent with the Statement of Charges and  
22 accompanying documents by USPS First-Class mail and FedEx overnight delivery. On April 12, 2021,  
23 the documents sent by FedEx overnight delivery were delivered. The documents sent by USPS First-  
24 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 in  
3 WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for her review and for  
5 entry of a final decision included the Statement of Charges, cover letter dated April 8, 2021, Notice of  
6 Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for  
7 Respondent, with documentation for service.

8 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the Director's  
9 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:

- 14 1. Respondent James Patrick Mejia's license to conduct the business of a mortgage loan  
15 originator is revoked.
- 16 2. Respondent James Patrick Mejia is prohibited from participation in the conduct of the  
17 affairs of any consumer loan company or mortgage broker subject to licensure by the  
18 Director, in any manner, for a period of seven (7) years.
- 19 3. Respondent James Patrick Mejia pay a fine of \$7,500.00.
- 20 4. Respondent James Patrick Mejia pay an investigation fee of \$807.41.

21 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition  
22 for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed  
23 in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW,  
24 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 Respondent. The Petition for Reconsideration

1 shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking  
2 judicial review in this matter.

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

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

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

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

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

DATED this 14th day of May, 2021.

19 STATE OF WASHINGTON  
20 DEPARTMENT OF FINANCIAL INSTITUTIONS

21 /s/  
22 LUCINDA FAZIO, Director  
23 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 of the  
6 Consumer Loan Act of Washington by:

7 JAMES PATRICK MEJIA,  
8 Mortgage Loan Originator,  
9 NMLS #1012630,

Respondent.

No. C-21-3078-21-SC01

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

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 31.04.145, 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 James Patrick Mejia (Respondent)** was licensed by the Department to conduct business as a  
19 loan originator on or about October 1, 2014, and continues to be licensed to date. Respondent  
20 submitted Respondent's license renewal request on or about November 6, 2020.

21 **1.2 Prior Criminal History.** On or about February 20, 2019, Respondent was charged with four  
22 counts of felony [REDACTED] or [REDACTED] while [REDACTED]  
23 [REDACTED], in the Maricopa County Superior Court. On or about October 23,  
24 2019, Respondent entered a guilty plea to one felony count of [REDACTED] or [REDACTED]  
[REDACTED] while [REDACTED] (felony conviction).

1 **1.3 Failure to Disclose Pending Felony.** The Criminal Disclosure section of the Uniform  
2 Individual Mortgage License/Registration & Consent form (Form MU4) on NMLS consists of a  
3 series of questions. Question F(2) asks “[a]re there pending charges against you for any felony?”  
4 Respondent failed to update Respondent’s Form MU4 to disclose the pending felonies until  
5 December 3, 2019.

6 **1.4 Failure to Disclose Felony Conviction.** As of the date of this Statement of Charges,  
7 Respondent has failed to answer “Yes” to Form MU4 Question F(1) , which asks “[h]ave you ever  
8 been convicted of or plead guilty or nolo contendere (“no contest”) in a domestic, foreign, or military  
9 court to any felony?”

10 **1.5 Inaccurate and Misleading Event Explanations.** Licensees are required to submit and  
11 maintain accurate and truthful answers at all times in connection with reports filed with the  
12 Department. This includes providing “complete details of all events or proceedings for any “Yes”  
13 answer to any of the disclosure questions” on the Form MU4. On or about December 3, 2019,  
14 Respondent answered “Yes” to Question F(2), and provided the following explanations:

- 15 • “I was cited for a aggravated [REDACTED] without an [REDACTED]. I am now going to  
16 hearings with the option to appeal or take to trial I have to make a decision as the whether  
17 or not I will take the case to trial if not. I can accept the plea offer which will stand as  
18 felony.” [sic] (First Explanation)
- 19 • “Regarding the felony updated on my NMLS I am currently in motion for trial regarding a  
20 [REDACTED]. It is considered a class 4 felony due to [REDACTED] a [REDACTED] and  
21 being [REDACTED] to the slightest degree December the 3rd is my court date as to whether  
22 or not chose to the matter to trial or accept the plea. If I do accept the plea then the charges  
23 will stand a class 4 felony if I do not I have the right to take it to trial. Please contact me  
24 with any additional request or concerns. Thank you.” [sic] (Second Explanation)

1 Respondent attested to the accuracy of Respondent's Form MU4 on November 26, 2019, and  
2 submitted it December 3, 2019. However, Respondent failed to disclose Respondent's felony  
3 conviction.

4 On or about August 24, 2020, Respondent amended the Second Explanation to add a copy of  
5 Respondent's plea agreement. On or about September 9, 2020, the Department created a license item  
6 for Respondent in NMLS, requesting Respondent provide an update on the status of Respondent's  
7 criminal case. Respondent did not provide a response, and did not make any changes to  
8 Respondent's Form MU4 to disclose Respondent's felony conviction. Respondent attested to the  
9 accuracy of Respondent's Form MU4 and submitted it on November 17, 2020.

10 On December 23, 2020, Respondent removed the First Explanation. However, Respondent  
11 did not make any other changes to Respondent's Form MU4 to disclose Respondent's felony  
12 conviction. Respondent again attested to the accuracy of Respondent's Form MU4 and submitted it  
13 on December 23, 2020.

14 On or about December 31, 2020, the Department created a license item for Respondent in  
15 NMLS to notify Respondent that Respondent was not eligible for licensure due to Respondent's  
16 felony conviction. The Department gave Respondent until January 6, 2021, to surrender  
17 Respondent's license. As of the date of this Statement of Charges, Respondent has failed to do so.

18 On March 11, 2021, Respondent updated the License/Registration Information portion of  
19 Respondent's Form MU4. However, Respondent did not make any changes to Respondent's Form  
20 MU4 to disclose Respondent's felony conviction. Respondent again attested to the accuracy of  
21 Respondent's Form MU4 and submitted it on March 11, 2021.

22 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the  
23 Act by Respondent continues to date.

24 //

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

2 **2.1 Requirement of No Prior Criminal Convictions.** Based upon the Factual Allegations set  
3 forth in Section I above, Respondent fails to meet the mortgage loan originator licensing standards  
4 established under RCW 31.04.247(1)(d) and WAC 208-620-710(4)(c) by having been convicted of,  
5 or having pled guilty to a felony within the last seven years, and thus Respondent does not meet the  
6 minimum qualifications for license renewal pursuant to RCW 31.04.251.

7 **2.2 Failure to Report.** Based upon the Factual Allegations set forth in Section I above,  
8 Respondent is in apparent violation of RCW 31.04.027(1)(b) and WAC 208-620-710(27) for failing  
9 to report a change to an answer to one of the NMLS generated disclosure questions within 10 days.

10 **2.3 False Statements and Omissions of Material Facts.** Based upon the Factual Allegations set  
11 forth in Section I above, Respondent is in apparent violation of RCW 31.04.027(1)(h) and WAC 208-  
12 620-550(6) for negligently making any false statement or willfully making an omission of material  
13 fact in connection with any report filed by Respondent with the Department.

14 **III. AUTHORITY TO IMPOSE SANCTIONS**

15 **3.1 Authority to Revoke License.** Pursuant to RCW 31.04.093(3)(b) and (c), the Director may  
16 revoke a license if the licensee, either knowingly or without the exercise of due care, has violated any  
17 provision of the Act or any rule adopted under the Act, or a fact or condition exists that, if it had  
18 existed at the time of the original application for the license, clearly would have allowed the director  
19 to deny the application for the original license.

20 **3.2 Authority to Prohibit from the Industry.** Pursuant to RCW 31.04.093(6)(b) and (e), the  
21 Director may issue an order prohibiting from participation in the affairs of any licensee for conviction  
22 of a gross misdemeanor involving dishonesty or financial misconduct or a felony, or a violation of  
23 RCW 31.04.027.



1 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of  
2 up to one hundred dollars per day, per violation, upon the licensee, its employee or loan originator, or  
3 any other person subject to the Act for any violation of the Act or failure to comply with any order or  
4 subpoena issued by the Director under the Act.

5 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-  
6 590, WAC 208-620-610(7), every licensee examined or investigated by the Director or the Director's  
7 designee shall pay for the cost of the examination or investigation, calculated at the rate of \$69.01 per  
8 staff hour devoted to the examination or investigation.

9 **3.5 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director  
10 may recover the state's costs and expenses for prosecuting violations of the Act.

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

12 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,  
13 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose  
14 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW  
15 34.04.202, and RCW 31.04.205. Therefore, it is the Director's intent to ORDER that:

16 **4.1** Respondent James Patrick Mejia's license to conduct the business of a mortgage loan  
17 originator be revoked.

18 **4.2** Respondent James Patrick Mejia be prohibited from participation in the  
19 conduct of the affairs of any consumer loan company or mortgage broker subject to  
20 licensure by the Director, in any manner, for a period of 7 years.

21 **4.3** Respondent James Patrick Mejia pay a fine. As of the date of this Statement of  
22 Charges, the fine totals \$7,500.00.

23 **4.4** Respondent James Patrick Mejia pay an investigation fee. As of the date of this  
24 Statement of Charges, the investigation fee totals \$807.41.

**4.5** Respondent James Patrick Mejia 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.

1 **V. AUTHORITY AND PROCEDURE**

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

9  
10 Dated this 6th day of April, 2021.

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

16 Presented by:

17  
18 /s/  
AMANDA B. STARNES  
19 Financial Legal Examiner

20 Approved by:

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