

ORDER SUMMARY
Consumer Services Division Case Number C-21-3175

Consent Orders resolve investigations. In these, companies and individuals work with us to agree to terms that resolve the alleged issues in the investigation.

Name	Randolph Anthony Stolle, NMLS #254134
Order Number	C-21-3175-23-CO01
Date issued	January 2, 2024

What does this Consent Order require?

- Confession of Judgment for a fine of \$10,000.
- Confession of Judgment for an investigation fee of \$24,943.08. (Investigation fees cover the cost of DFI staff time working on the investigation.)
- Respondent is not allowed to participate in consumer loan or mortgage broker business activity in Washington until January 2, 2034.
- Respondent's mortgage loan originator license is revoked.

Need more information?

You can contact the Consumer Services Division, Enforcement unit at (360) 902-9703 or cseforcecomplaints@dfi.wa.gov. Please remember that we cannot provide financial or legal advice to members of the public. We also cannot release confidential information.

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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:

RANDOLPH ANTHONY STOLLE,
NMLS #254134,

Respondent.

No.: C-21-3175-23-CO01

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Ali Higgs, Division of Consumer Services, Acting Director, and Randolph Anthony Stolle
(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 chapter 31.04 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
Respondent has agreed upon a basis for resolution of the matters alleged in Statement of Charges No.
C-21-3175-23-SC01 (Statement of Charges), entered March 10, 2023 (copy attached hereto).
Pursuant to RCW 31.04.093(7) and RCW 34.05.060, Respondent and the Department agree to entry
of this Consent Order and further agree that the matters alleged herein may be economically and
efficiently settled by the entry of this Consent Order. The parties intend this Consent Order to fully
resolve the Statement of Charges.

Based on the foregoing:

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

3 **B. Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a
4 hearing before an administrative law judge, and hereby waives his right to a hearing and any and all
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached
6 herein. Accordingly, Respondent, by his signature, withdraws his appeal to the Office of
7 Administrative Hearings.

8 **C. Admission of Liability.** It is AGREED that Respondent admits to the factual allegations
9 contained in Section I of the Statement of Charges.

10 **D. Cease and Desist.** It is AGREED that Respondent shall cease and desist from engaging in
11 the business of a mortgage loan originator.

12 **E. Revocation of License.** It is AGREED that Respondent's license to conduct the business of a
13 mortgage loan originator be revoked.

14 **F. Prohibition from Industry.** It is AGREED that Respondent is prohibited from participation
15 in the conduct of the affairs of any consumer loan company or mortgage broker subject to licensure
16 by the Director, in any manner, for a period of ten (10) years.

17 **G. Confession of Judgment for Fine.** It is AGREED that Respondent has entered into a
18 Confession of Judgment for a fine in the amount of \$10,000.00.

19 **H. Confession of Judgment for Investigation Costs.** It is AGREED that Respondent has
20 entered into a Confession of Judgment for the investigation costs in the amount of \$24,943.08.

21 **I. Confession of Judgment.** A copy of this Confession of Judgment is attached and
22 incorporated into this Consent Order by this reference. Consistent with chapter 4.60 RCW, the
23 Department may immediately, and without further notice to Respondent, seek entry of the judgment.

1 It is further AGREED that Respondent shall, upon the Department's request, fully and promptly
2 cooperate with the Department in its efforts to get the judgment entered by the superior court.

3 **J. Authority to Execute Order.** It is AGREED that the undersigned have represented and
4 warranted that they have the full power and right to execute this Consent Order on behalf of the
5 parties represented.

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

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

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

14 **N. Counterparts.** This Consent Order may be executed in any number of counterparts,
15 including by facsimile or e-mail of a .pdf or similar file, each of which shall be deemed to be an
16 original, but all of which, taken together, shall constitute one and the same Consent Order.

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1 RESPONDENT:

2 [REDACTED]
3 Randolph Anthony Stolle

12-15-2023
Date

4
5 Approved for Entry:

6 [REDACTED]
7 Robert Rhodes, WSBA No. 31089
8 Robert Rhodes PLLC
9 Attorney for Respondent

12/14/23
Date

10 DO NOT WRITE BELOW THIS LINE

11 THIS ORDER ENTERED THIS _____ DAY OF _____, 2023.

12
13 ALI HIGGS, Acting Director
14 Division of Consumer Services
15 Department of Financial Institutions

16 Presented by:

17 RACHELLE VILLALOBOS
18 Financial Legal Examiner

19 MEGAN GUTHRIE
20 Financial Legal Examiner

21 Approved by:

22 JAMES R. BRUSSELBACK
23 Acting Enforcement Chief

24 CONSENT ORDER
C-21-3175-23-CO01
RANDOLPH ANTHONY STOLLE

1 **RESPONDENT:**

2
3 _____
Randolph Anthony Stolle

Date

4
5 Approved for Entry:

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7 _____
Robert Rhodes, WSBA No. 31089
Robert Rhodes PLLC
8 Attorney for Respondent

Date

9 **DO NOT WRITE BELOW THIS LINE**

10 THIS ORDER ENTERED THIS 2nd DAY OF January, 2024.



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ALI HIGGS, Acting Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

RACHELLE VILLALOBOS
Financial Legal Examiner

MEGAN GUTHRIE
Financial Legal Examiner

Approved by:

JAMES R. BRUSSELBACK
Acting Enforcement Chief

1 Pursuant to Chapter 4.60 of the Revised Code of Washington, Judgment by Confession,
2 Defendant Randolph Anthony Stolle hereby authorizes entry of a judgment under the following
3 terms:

4 **Factual Basis for Judgment**

5 The State of Washington, Department of Financial Institutions and Randolph Anthony
6 Stolle have agreed upon a basis for resolution of the matters alleged in the Statement of Charges
7 No. C-21-3175-23-SC01, entered March 10, 2023. Randolph Anthony Stolle has agreed to
8 enter into a Confession of Judgment, pursuant to chapter 4.60 RCW, and the terms of Consent
9 Order No. C-21-3175-23-CO01, in the amount of \$34,943.08, which shall be paid to the State
10 of Washington, Department of Financial Institutions.

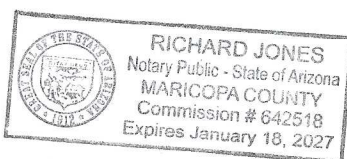
11 **Authorization for Entry of Judgment**

12 I, Randolph Anthony Stolle, being duly sworn upon oath, acknowledge the debt of
13 \$34,943.08 to the State of Washington, Department of Financial Institutions. I authorize entry
14 of judgment against me, without further notice from the State of Washington, Department of
15 Financial Institutions, for the amount set forth in the judgment summary above.

16
17 DATED this 18 day of December, 2023.

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19 
20 RANDOLPH ANTHONY STOLLE

21 SUBSCRIBED AND SWORN TO before me in Maricopa, Arizona
22 this 18 day of December, 2023.



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Notary Public in and for the State of Arizona
~~Washington~~, residing at Maricopa,
~~Washington, Arizona~~
My Commission expires: 01/18/2027

Order for Entry

The above Confession of Judgment having been presented to this Court for entry in accordance with RCW 4.60.070, the Court having found said Confession of Judgment to be sufficient, now, therefore, it is hereby:

ORDERED that the Clerk of this Court shall forthwith enter Judgment against Randolph Anthony Stolle in accordance with the terms of the Confession of Judgment.

DONE IN OPEN COURT this ____ day of _____, 202_.

JUDGE/COURT COMMISSIONER

Presented by:

ROBERT W. FERGUSON
Attorney General

Stephen Manning, WSBA # 36965
Assistant Attorney General
Attorneys for State of Washington
Department of Financial Institutions

**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:

RANDOLPH ANTHONY STOLLE,
NMLS #254134,

Respondent.

No. C-21-3175-23-SC01

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

INTRODUCTION

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.145, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Lucinda Fazio, institutes this proceeding and finds as follows:

I. FACTUAL ALLEGATIONS

1.1 Respondent. Randolph Anthony Stolle, NMLS #254134 (Respondent), was employed with a title of Business Development Manager for Sun West Mortgage Company, Inc., a licensed consumer loan company, from on or about July 8, 2019, to April 1, 2021. Respondent was not licensed as a mortgage loan originator by the Department of Financial Institutions of the State of Washington (Department) while employed by Sun West Mortgage Company, Inc. On or about May 20, 2021, Respondent was licensed by the Department to conduct business as a mortgage loan originator and continues to be licensed to date.

1 **1.2 Prior Order.** On or about April 16, 2015, the Department filed a Statement of Charges (C-
2 14-1541-15-SC01) against Respondent for unlicensed mortgage loan origination activity and false
3 statement. On or about April 11, 2016, Respondent entered into a Consent Order (C-14-1541-16-
4 CO02) with the Department. The Consent Order included a five year prohibition from participating,
5 in any capacity, in the conduct of the affairs of any consumer loan company or mortgage broker
6 licensed by the Department or subject to licensure or regulation by the Department.

7 **1.3 Unlicensed Activity.** Between at least July 25, 2019, and December 2, 2020, Respondent
8 assisted at least four borrowers in applying to obtain or obtaining a residential mortgage loan for
9 residential real estate located in Washington State. In doing so, Respondent took a residential
10 mortgage loan application, offered or negotiated the terms of a residential mortgage loan, or held
11 himself out as being able to perform any of these activities.

12 **1.4 False Loan Document.** On or about December 11, 2020, Respondent encouraged at least one
13 prospective borrower in Washington to fabricate and submit false documentation. Respondent caused
14 the false documentation to be maintained in Sun West Mortgage Company, Inc.'s records.

15 **1.5 False Attestations.** Upon license application, a mortgage loan originator must submit an
16 accurate employment history without gaps into their application to the Nationwide Multistate Licensing
17 System & Registry (NMLS). If a mortgage loan originator has any change in the information supplied
18 to the Director in their original application, the mortgage loan originator must update their answers in
19 NMLS within 10 days of the change.

20 Respondent failed to include his employment at Sun West Mortgage Company, Inc. on the NMLS
21 employment history section. Respondent then attested at least nine times between May 26, 2021, and
22 January 24, 2023, under penalty of perjury, that the information and statements contained within the
23 MU4 Form were "current, true, accurate, and complete[.]"

1 **1.6 Violation of Prior Order.** Between at least July 25, 2019, and December 11, 2020, Respondent
2 participated in the conduct of the affairs of Sun West Mortgage Company, Inc., a consumer loan
3 company subject to licensure by the Director under the Act, in violation of the Consent Order identified
4 in paragraph 1.2.

5 **1.7 On-Going Investigation.** The Department's investigation into the alleged violations of the
6 Act by Respondent continues to date.

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

8 **2.1 Definition of Residential Mortgage Loan.** Pursuant to RCW 31.04.015(24) "residential
9 mortgage loan" means any loan primarily for personal, family, or household use that is secured by a
10 mortgage, deed of trust, or other consensual security interest on a dwelling, as defined in the truth in
11 lending act, or residential real estate upon which is constructed or intended to be constructed a
12 dwelling.

13 **2.2 Definition of Mortgage Loan Originator.** Pursuant to RCW 31.04.015(18)(a), "Mortgage
14 loan originator" means an individual who for compensation or gain (i) takes a residential mortgage
15 loan application, or (ii) offers or negotiates terms of a residential mortgage loan. "Mortgage loan
16 originator" also includes individuals who hold themselves out to the public as able to perform any of
17 these activities. Pursuant to RCW 31.04.015(18)(b) "Mortgage loan originator" also includes an
18 individual who for direct or indirect compensation or gain performs residential mortgage loan
19 modification services or holds himself or herself out as being able to perform residential mortgage
20 loan modification services.

21 **2.3 Definition of Borrower.** Pursuant to RCW 31.04.015(4), "Borrower" means any person who
22 consults with or retains a licensee or person subject to this chapter in an effort to obtain, or who seeks
23 information about obtaining a loan, regardless of whether that person actually obtains such a loan.

24 "Borrower" includes a person who consults with or retains a licensee or person subject to this chapter

1 in an effort to obtain, or who seeks information about obtaining a residential mortgage loan
2 modification, regardless of whether that person actually obtains a residential mortgage loan
3 modification.

4 **2.4 Unfair or Deceptive Practice.** Based on the Factual Allegations set forth in Section I above,
5 Respondent is in apparent violation of RCW 31.04.027(1)(b) for directly or indirectly engaging in
6 any unfair or deceptive practice toward any person.

7 **2.5 Unlicensed Activity.** Based on the Factual Allegations set forth in Section I above,
8 Respondent is in apparent violation of RCW 31.04.221 for engaging in the business of a mortgage
9 loan originator without first obtaining and maintaining a license under the Act.

10 **2.6 False Statements and Omissions of Material Facts.** Based on the Factual Allegations set
11 forth in Section I above, Respondent is in apparent violation of RCW 31.04.027(1)(h).

12 **2.7 Requirement to Demonstrate Character and Fitness Requirements.** Based upon the
13 Factual Allegations set forth in Section I above, Respondent failed to demonstrate character and
14 general fitness in accordance with RCW 31.04.247(1)(e).

15 **2.8 Violation of Prior Order.** Based on the Factual Allegations set forth in Section I above,
16 Respondent is in apparent violation of RCW 31.04.027(1)(b) and WAC 208-620-550(14) for failing
17 to comply with an order issued by the Department.

18 **III. AUTHORITY TO IMPOSE SANCTIONS**

19 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 31.04.093(5)(a), the
20 Director may issue orders directing a licensee, its employee, loan originator, or other person subject
21 to the Act to cease and desist from conducting business in a manner that is injurious to the public or
22 violates any provision of the Act.

23 **3.2 Authority to Revoke License.** Pursuant to RCW 31.04.093(3)(a), (b), and (d), the Director
24 may revoke a license if the Director finds that the licensee, failed to comply with any specific order

or demand of the director lawfully made and directed to the licensee in accordance with the Act; either knowingly or without the exercise of due care, has violated any provision of the Act or any rule adopted under the Act; or failed to comply with any directive, order, or subpoena issued by the Director under the Act.

3.3 Authority to Prohibit from the Industry. Pursuant to RCW 31.04.093(6), the Director may issue an order prohibiting from participation in the affairs of any licensee, or both, any officer, principal, employee or mortgage loan originator, or any other person subject to this chapter for (d) failure to comply with any order or subpoena issued under this chapter; (e) a violation of RCW 31.04.027 or RCW 31.04.221, or (f) failure to obtain a license for activity that requires a license.

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

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

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

IV. NOTICE OF INTENT TO ENTER ORDER

Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose

Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW 31.04.202, and RCW 31.04.205. Therefore, it is the Director's intent to ORDER that

4.1 Respondent Randolph Anthony Stolle cease and desist from engaging in the business of a mortgage loan originator.

4.2 Respondent Randolph Anthony Stolle's license to conduct the business of a mortgage loan originator be revoked.

4.3 Respondent Randolph Anthony Stolle be prohibited from participation in the conduct of the affairs of any consumer loan company or mortgage broker subject to licensure by the Director, in any manner, for a period of ten (10) years.

4.4 Respondent Randolph Anthony Stolle pay a fine. As of the date of this Statement of Charges, the fine totals \$30,000.

4.5 Respondent Randolph Anthony Stolle pay an investigation fee. As of the date of this Statement of Charges, the investigation fee totals \$973.04.

4.6 Respondent Randolph Anthony Stolle 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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1 **V. AUTHORITY AND PROCEDURE**

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

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10 Dated this 10th day of March, 2023.



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LUCINDA FAZIO, Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

RACHELLE VILLALOBOS
Financial Legal Examiner

MEGAN GUTHRIE
Financial Legal Examiner

Approved by:

JACK McCLELLAN
Enforcement Chief