

**ORDER SUMMARY**  
**Consumer Services Division Case Number C-23-3619**

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

<b>Name</b>	<b>Sailfish Servicing, LLC NMLS #2219167</b>
<b>Order Number</b>	C-23-3619-23-CO01
<b>Date issued</b>	1/4/2024

- **All terms of this order are complete.**
- Fine of \$43,000 PAID.
- Investigation fee of \$1145.57 PAID.

**Need more information?**

You can contact the Consumer Services Division, Enforcement unit at (360) 902-9703 or [cseforcecomplaints@dfi.wa.gov](mailto: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**

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IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Consumer Loan Act of Washington by:

No.: C-23-3619-23-CO01

CONSENT ORDER

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SAILFISH SERVICING, LLC,  
NMLS No. 2219167,

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Ali Higgs, Division of Consumer Services Acting Director, and Sailfish Servicing, LLC (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 December 8, 2021, Respondent submitted an application to the Washington State Department of Financial Institutions (Department) to engage in the business of a consumer loan company under the Act, and Respondent's license application is currently pending. Respondent has never been licensed to conduct any business under the Act.

**1.2** In furtherance of their license application, Respondent self-reported that on or about March 31, 2022, Respondent began holding servicing rights for Washington residential mortgage loans. Respondent currently holds the servicing rights to at least 2,623 Washington residential mortgage loans.

CONSENT ORDER  
C-23-3619-23-CO01  
SAILFISH SERVICING, LLC

1 **CONCLUSIONS OF LAW**

2 **2.1** Based on the above Findings of Fact, Respondent violated RCW 31.04.035 by engaging in the  
3 business of a consumer loan company in the state of Washington without first obtaining and  
4 maintaining a license in accordance with the Act or meeting an exclusion from the Act under RCW  
5 31.04.025.

6 **AGREEMENT AND ORDER**

7 The Department and Respondent have agreed upon a basis for resolution of the Findings of  
8 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 31.04.093(7) and  
9 RCW 34.05.060, Respondent and the Department agree to entry of this Consent Order and further  
10 agree that the matters alleged herein may be economically and efficiently settled by the entry of this  
11 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. No Admission of Liability.** The parties intend this Consent Order to fully resolve the matters  
19 alleged herein and agree that Respondent neither admits nor denies any wrongdoing by its entry.
- 20 **D. Consumer Loan License Required.** Subject to Paragraph G of this Consent Order, it is  
21 AGREED that Respondent understands that in order to service Washington residential mortgage  
22 loans or hold the servicing rights to Washington residential mortgage loans, Respondent must obtain  
23 a consumer loan license in accordance with the Act or qualify for an exemption from licensing as

1 delineated in the Act. It is further AGREED that Respondent provided the Department with  
2 assurance that Respondent will not purchase or obtain any additional servicing rights for Washington  
3 residential mortgage loans until such time as Respondent obtains a license in accordance with the  
4 Act.

5 **E. Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of  
6 \$43,000.00, in the form of a cashier's check made payable to the "Washington State Treasurer" upon  
7 delivery of this Consent Order, properly dated and signed.

8 **F. Investigation Fee.** It is AGREED that Respondent shall pay an investigation fee to the  
9 Department in the amount of \$1,145.57. The Fine and the Investigation Fee shall be paid together in  
10 one \$44,145.57 cashier's check made payable to the "Washington State Treasurer" upon delivery of  
11 this Consent Order to the Department, properly dated and signed.

12 **G. Records Retention.** It is AGREED that Respondent, its officers, employees, and agents shall  
13 maintain records in compliance with the Act and provide the Director with the location of the books,  
14 records, and other information relating to Respondent's consumer loan business conducted prior to  
15 licensure, and the name, address, and telephone number of the individual responsible for maintenance  
16 of such records in compliance with the Act.

17 **H. Application for Consumer Loan License.** It is AGREED that the entry of this Consent  
18 Order will not preclude Respondent from obtaining a consumer loan license pursuant to Respondent's  
19 pending consumer loan license application with the Department. It is further AGREED that upon  
20 payment to the Department of the sum required under paragraphs D and E of this Consent Order, SO  
21 LONG AS all requirements under chapter 31.04 RCW and 208-620 WAC are satisfactorily met and  
22 the application is complete as determined by the Department, the Department will process  
23 Respondent's pending consumer loan license application in due course. Respondent will be timely

1 notified of any additional licensing requirements. Respondent agrees to timely respond to any such  
2 requests.

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


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

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

11 **L. Authority to Execute Order.** It is AGREED that the undersigned authorized representative  
12 has represented and warranted that they have the full power and right to execute this Consent Order  
13 on behalf of Respondent.


14 **M. 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.

17 **RESPONDENT:**  
Sailfish Servicing, LLC

18 By:   
19 Andrew Weber  
20 President and CEO  
21 Sailfish Servicing, LLC

12/20/2023  
Date

22 **COUNSEL FOR RESPONDENT:**

23   
24 C. Tyler Wichmann  
General Counsel  
Sailfish Servicing, LLC

12/20/2023  
Date

CONSENT ORDER  
C-23-3619-23-C001  
SAILFISH SERVICING, LLC

DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8703

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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 4th DAY OF January, 2024.



[Redacted signature]

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

Presented by:

[Redacted signature]

KRISTINA M. SHENEFELT  
Financial Legal Examiner

Approved by:

[Redacted signature]

JAMES R. BRUSSELBACK  
Acting Enforcement Chief