

**Terms Complete**  
**ORDER SUMMARY – Case Number: C-09-128**

**Name(s):** Mi Casa Latina USA  
Tetyana Strelbytska  
Jose Carino

**Order Number:** C-09-128-12-CO01

**Effective Date:** April 12, 2012

**License Number:** Mi Casa – NMLS ID: 940210; Carino – NMLS ID: 940077  
**Or NMLS Identifier [U/L]** Strelbytska – DFI: #35933 NMLS ID: 940076

**License Effect:** None

**Not Apply Until:** April 12, 2022

**Not Eligible Until:** April 12, 2022

**Prohibition/Ban Until:** April 12, 2022

<b>Investigation Costs</b>	\$1,488	Due: See Satisfaction of Judgment	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date: 7/22/2013
<b>Fine</b>	\$	Due	Paid <input type="checkbox"/> Y <input 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>Judgment</b>	\$1,488	Due:	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date:
<b>Satisfaction of Judgment Filed?</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N 9/11/2013			
	No. of Victims:			

Comments: Prohibition is from MBPA and CLA. Not apply provision is for any license issued by the Department.

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APR 10 2012

ENFORCEMENT UNIT  
DIVISION OF CONSUMER SERVICES  
DEPT 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  
Mortgage Broker Practices Act of Washington by:  
  
MI CASA LATINA USA, INC.,  
TETYANA STRELBYTSKA,  
President, Owner, and Loan Originator, and  
JOSE CARINO, Unlicensed Loan Originator,  
  
Respondents.

No.: C-09-128-12-CO01

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Mi Casa Latina, USA, Inc. (Respondent Mi Casa), Tetyana Strelbytska, President, Owner, and Loan Originator (Respondent Strelbytska), and Jose Carino, Unlicensed Loan Originator (Respondent Carino), 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-09-128-11-SC01 (Statement of Charges), entered August 2, 2011, (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 Consent Order. The parties intend this Consent

CONSENT ORDER  
C-09-128-12-CO01  
Mi Casa Latina USA, Inc.  
Tetyana Strelbytska  
Jose Carino

DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902.8703

1 Order to fully resolve the Statement of Charges. Respondents are agreeing not to contest the  
2 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  
5 of the activities discussed herein.

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

11 **C. Prohibition from Industry.** It is AGREED that, for a period of 10 years from the date of  
12 entry of this Consent Order, Respondents are prohibited from participating in the conduct of the  
13 affairs of any mortgage broker or consumer loan company licensed by the Department or subject to  
14 licensure or regulation by the Department, in any capacity, including but not limited to: (1) any  
15 financial capacity whether active or passive; or (2) as an officer, director, principal, partner, LLC  
16 member, designated broker, employee, or loan originator; or (3) any management, control, oversight  
17 or maintenance of any trust account(s) in any way related to any residential transaction; or (4)  
18 receiving, disbursing, managing or controlling in any way, consumer trust funds in any way related to  
19 any residential mortgage transaction.

20 **D. Application for License.** It is AGREED that, for a period of 10 years from the date of  
21 entry of this Consent Order, Respondents shall not apply to the Department for any license under any  
22 name. It is further AGREED that, should Respondents apply to the Department for any license under  
23

1 any name at any time later than 10 years from the date of entry of this Consent Order, such applying  
2 Respondents shall be required to meet any and all application requirements in effect at that time.

3 **E. Declaration of Financial Condition and Confession of Judgment.** It is AGREED that  
4 Respondents have provided the Department with a Declaration comprehensively describing their  
5 current financial condition and representing their current inability to pay the investigation fee  
6 obligations agreed to in Paragraph F of this Consent Order. It is further AGREED that, based on this  
7 Declaration, the Department has accepted a Confession of Judgment from Respondents for the  
8 investigation fee obligation agreed to in Paragraph F of this Consent Order. A copy of this  
9 Confession of Judgment is attached and incorporated into this Consent Order by this reference.  
10 Consistent with RCW 4.60, the Department may immediately seek entry of the judgment.  
11 Respondents shall, upon the Department's request, fully and promptly cooperate with the Department  
12 in its efforts to get the judgment entered by the superior court.

13 **F. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an  
14 investigation fee of \$1,488.

15 **G. Confession of Judgment for Investigation Fee.** It is AGREED that Respondents have  
16 entered into a Confession of Judgment for an investigation fee in the amount of \$1,488 owed to the  
17 Department.

18 **H. Change of Address.** It is AGREED that for the duration of the period this Consent Order  
19 is in effect, unless otherwise agreed to in writing by the Department, Respondents shall provide the  
20 Department with a mailing address and telephone number at which Respondents can be contacted and  
21 shall notify the Department in writing of any changes to their mailing address or telephone number  
22 within 15 days of any such change.

1 I. **Rights of Non-Parties.** It is AGREED that the Department does not represent or have the  
2 consent of any person or entity not a party to this Consent Order to take any action concerning their  
3 personal legal rights. It is further AGREED that for any person or entity not a party to this Consent  
4 Order, this Consent Order does not limit or create any private rights or remedies against Respondents,  
5 limit or create liability of Respondents, or limit or create defenses of Respondents to any claims.

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

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

13 L. **Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily  
14 entered into this Consent Order, which is effective when signed by the Director's designee.

15 M. **Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read  
16 this Consent Order in its entirety and fully understand and agree to all of the same.

17 **RESPONDENTS:**

18 **Mi Casa Latina USA, Inc.**

19 By:

20 

21 Tetyana Strelbytska  
President

20 04-02-12  
Date

22 

23 Tetyana Strelbytska  
Individually

22 04-02-12  
Date

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*[Signature]*  
Jose Carino  
Individually

Date

*04/02/2012*

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 12<sup>th</sup> DAY OF April, 2012



*[Signature]*

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

*[Signature]*

STEVEN C. SHERMAN  
Financial Legal Examiner

Approved by:

*[Signature]*

JAMES R. BRUSSELBACK  
Enforcement Chief

2013 SEP 11 AM 11:26

BETTY J. GOULD, CLERK

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STATE OF WASHINGTON  
THURSTON COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
DEPARTMENT OF FINANCIAL  
INSTITUTIONS,

Petitioner,

v.

MI CASA LATINA USA, INC.,  
TETYANA STRELBYTSKA, and  
JOSE CARINO,

Respondents.

NO. 12-2-00859-8

SATISFACTION OF JUDGMENT

**(CLERK'S ACTION REQUIRED)**

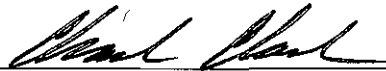
JUDGMENT SUMMARY

<b>Judgment Creditor:</b>	<b>State of Washington, Department of Financial Institutions</b>
<b>Attorneys for Judgment Creditor:</b>	<b>Robert W. Ferguson Attorney General  Susan P. Jensen Assistant Attorney General WSBA #12187</b>
<b>Judgment Debtor:</b>	<b>Mi Casa Latina USA, Inc., Tetyana Strelbytska and Jose Carino</b>
<b>Amount of Judgment:</b>	<b>\$1,488.00</b>
<b>Post-Judgment Interest (Per Annum):</b>	<b>12%</b>
<b>Total Judgment:</b>	<b><u>\$1,597.39</u></b>

1 WHEREAS Petitioner, State of Washington Department of Financial Institutions  
2 (Department), the judgment creditor in the above-described action, obtained a judgment in the  
3 amount of \$1,488.00 plus statutory interest against Respondents Mi Casa Latina USA, Inc.,  
4 Tetyana Strelbytska and Jose Carino on April 20, 2012, and the judgment has been fully  
5 satisfied.

6 NOW THEREFORE, full satisfaction of judgment is hereby acknowledged and the  
7 clerk of the court is authorized and directed to cancel, satisfy and discharge the judgment.

8 Dated this 28<sup>th</sup> day of August, 2013.


9  
10 

11 Charles Clark  
12 Enforcement Program Manager  
13 Division of Consumer Services  
14 Department of Financial Institutions  
15 Judgment Creditor

14 STATE OF WASHINGTON )  
15 ) ss.  
16 COUNTY OF THURSTON )

16 I certify that I know or have satisfactory evidence that CHARLES CLARK  
17 signed this instrument, on oath and stated that he was authorized to execute the instrument and  
18 acknowledged it pursuant to his authority delegated from the Director of the Division of  
19 Consumer Services of the Washington State Department of Financial Institutions.

19 GIVEN under my hand and official seal this 28<sup>th</sup> day of AUGUST, 2013.

20   
21 NOTARY PUBLIC, My Commission  
22 Expires: 3/21/16





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APR 10 2012

ENFORCEMENT UNIT  
DIVISION OF CONSUMER SERVICES  
DEPT OF FINANCIAL INSTITUTIONS

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STATE OF WASHINGTON  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS

In the Matter Of:

MI CASA LATINA USA, INC., TETYANA  
STRELBYTSKA, and JOSE CARINO,

Respondents.

Agency No. C-09-128-11-SC01

CONFESSION OF JUDGMENT

*(Clerk's Action Required)*

Judgment Summary

Judgment Creditors:	Department of Financial Institutions (DFI)
Attorneys for Department of Financial Institutions:	Robert M. McKenna, Washington Attorney General Victor M. Minjares, Assistant Attorney General
Judgment Debtors:	Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino, jointly and severally
Principal Judgment Amount:	\$1,488.00 investigation fee owed to DFI
Total Judgment Amount:	\$1,488.00
Post-Judgment Interest (per annum)	Twelve percent (12%)
Other Costs and Fees:	Each party shall otherwise bear their own costs and fees.

Pursuant to Chapter 4.60 of the Revised Code of Washington, Judgment by Confession, Respondents  
Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino hereby authorize entry of a judgment  
under the following terms:

CONFESSION OF JUDGMENT

1

ATTORNEY GENERAL OF WASHINGTON  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100  
(360) 664-9006



1 I understand each party shall otherwise bear their own costs and fees, including attorney's fees.

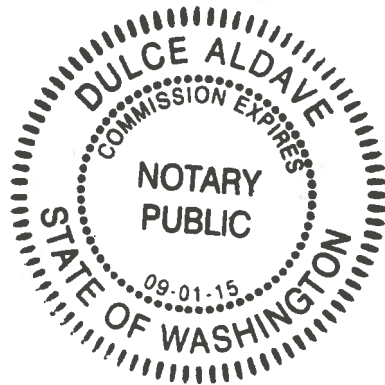
2 DATED this 2nd  
4th day of APRIL, 2012.  
Am

3  
4 JOSE CARINO  
Individual

5  
6 TETYANA STRELBYTSKA  
Individual

7  
8  
9 MI CASA LATINA USA, INC.  
Tetyana Strelbytska, as President, ~~Designated~~ T.S.  
~~Broker~~, and Owner of Mi Casa Latina USA, Inc.

10  
11 SUBSCRIBED AND SWORN TO before me in Seattle, Washington  
12 this 2nd day of APRIL, 2012.



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14 Dulce Alடைး  
Notary Public in and for the State of  
15 Washington, residing at King,  
16 county.  
My Commission expires: 09/01/15

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**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 jointly and severally against Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino, in accordance with the terms of the Confession of Judgment.

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
JUDGE/COMMISSIONER

Presented by:

ROBERT M. MCKENNA  
Attorney General

\_\_\_\_\_  
VICTOR M. MINJARES  
WSBA No. 33946  
Assistant Attorney General  
Attorneys for State of Washington  
Department of Financial Institutions

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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:  
  
MI CASA LATINA USA, INC.,  
TETYANA STRELBYTSKA, President, Owner,  
and Loan Originator, and  
JOSE CARINO, Unlicensed Loan Originator,  
  
Respondents.

No. C-09-128-11-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER AN  
ORDER TO PROHIBIT FROM INDUSTRY,  
IMPOSE FINE, AND COLLECT  
INVESTIGATION FEE

**INTRODUCTION**

Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the Mortgage Broker Practices (Act)<sup>1</sup>. After having conducted an investigation pursuant to RCW 19.146.235, and based upon the facts available as of date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

A. **Mi Casa Latina USA, Inc. (Mi Casa)** has never been licensed by the Department to conduct business as a mortgage broker or consumer loan company. The address for Mi Casa which was registered with the Washington Department of Revenue and Secretary of State was 9707 Slater Ave. NE, Kirkland, Washington; a residence owned by Respondent Strelbytska.

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<sup>1</sup> RCW 19.146 (2006)  
STATEMENT OF CHARGES  
C-09-128-11-SC01  
Mi Casa Latina USA, Inc.  
Tatyana Strelbytska  
Jose Carino

1           B.       **Tatyana Strelbyska (Strelbytska)** is the President and Owner of Respondent Mi  
2 Casa. Respondent Strelbyska was licensed by the Department as a loan originator from about 2007 to  
3 December 31, 2008, when her license expired.

4           C.       **Jose Carino (Carino)** is believed to be the husband of Respondent Strelbytska and a  
5 “loan officer” for Respondent Mi Casa. Respondent Carino has never been licensed by the  
6 Department to conduct business as a mortgage broker, consumer lender, or loan originator.

7 **1.2     Unlicensed Activity.** In about May 2007, borrower J.D. responded to a Spanish  
8 advertisement and called Respondent Mi Casa to obtain a refinance of his residential mortgage loan.  
9 J.D. was referred to Respondent Carino, who assisted J.D. with obtaining a residential mortgage loan.  
10 The loan closed on or about June 15, 2007.

11           In about early 2008, but before February 25, 2008, borrower R.A. met with Respondent  
12 Carino to get assistance with purchasing a primary residence. Respondent Carino provided R.A. with  
13 a business card identifying Respondent Carino as a “Loan Officer” for “Mi Casa Latina USA,”  
14 showed several homes to R.A., and assisted R.A. with applying for a residential mortgage loan.

15 **1.3     Prohibited Acts.** Page three of the loan application provided to the Department by borrower  
16 J.D. states that the application was taken by Respondent Strelbytska by telephone on June 15, 2007,  
17 on behalf of Nationwide Home Lending, LLC.<sup>2</sup> The application also bears the apparent signature of  
18 Respondent Strelbytska. Borrower J.D., however, reported he never met or spoke with Respondent  
19 Strelbytska and was assisted only by Respondent Carino.

20 **1.4     Failure to Display License Numbers.** Respondent Strelbytska did not include her loan  
21 originator license number on the application for borrower J.D.

22  
23  
24 <sup>2</sup> Respondent Strelbytska was registered with the Department as a loan originator for Nationwide Home Lending, LLC,  
at the time of the application.

1 **1.5 Misrepresentation of Borrower Information.** On page two of borrower J.D.'s loan  
2 application, Respondents stated J.D.'s monthly income as \$12,750 per month after J.D. had informed  
3 Respondent Carino that his actual income was only \$16 per hour.

4 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the  
5 Act by Respondents continues to date.

## 6 **II. GROUNDS FOR ENTRY OF ORDER**

7 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(14) and WAC 208-660-006,  
8 "Mortgage broker" means any person who, for compensation or gain, or in the expectation of  
9 compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage  
10 loan or (b) holds himself or herself out as being able to assist a person in obtaining or applying to  
11 obtain a residential mortgage loan.

12 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(11) and WAC 208-660-006,  
13 "Loan originator" means a natural person who for direct or indirect compensation or gain, or in the  
14 expectation of direct or indirect compensation or gain: takes a residential mortgage loan application  
15 for a mortgage broker; offers or negotiates terms of a mortgage loan; performs residential mortgage  
16 loan modification services; or holds themselves out to the public as able to perform any of these  
17 activities.

18 **2.3 Definition of Borrower.** Pursuant to RCW 19.146.010(3) and WAC 208-660-006,  
19 "Borrower" means any person who consults with or retains a mortgage broker or loan originator in an  
20 effort to obtain or seek advice or information on obtaining or applying to obtain a residential  
21 mortgage loan for himself, herself, or persons including himself or herself, regardless of whether the  
22 person actually obtains such a loan.

1 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on the Factual  
2 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200(1)  
3 and WAC 208-660-155 for engaging in the business of a mortgage broker without first obtaining and  
4 maintaining a license under the Act.

5 **2.5 Requirement to Obtain and Maintain Loan Originator License.** Based on the Factual  
6 Allegations set forth in Section I above, Respondent Carino is in apparent violation of RCW  
7 19.146.200(1) and WAC 208-660-155 for engaging in the business of a loan originator without first  
8 obtaining and maintaining a license under the Act.

9 **2.6 Prohibited Acts.** Based on the Factual Allegations set forth in Section I above, Respondent  
10 Strelbytska is in apparent violation of RCW 19.146.0201(1), (2), and (3) for directly or indirectly  
11 employing a scheme, device or artifice to defraud or mislead borrowers or lenders or any person,  
12 engaging in an unfair or deceptive practice toward any person, and obtaining property by fraud or  
13 misrepresentation.

14 **2.7 Requirement to Display Loan Originator License Number.** Based on the Factual  
15 Allegations set forth in Section I above, Respondent Strelbytska is in apparent violation of RCW  
16 19.146.0201(2) and WAC 208-660-350(26) for failing to include her loan originator license number  
17 following her name on a residential mortgage loan application.

18 **2.8 Requirement to Provide Accurate Information on Loan Applications.** Based on the  
19 Factual Allegations set forth in Section I above, Respondents are in apparent violation of RCW  
20 19.146.0201(2) for providing inaccurate information on a residential loan application.

21 **III. AUTHORITY TO IMPOSE SANCTIONS**

22 **3.1 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may  
23 issue orders removing from office or prohibiting from participation in the conduct of the affairs of a



1 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed  
2 mortgage broker or any person subject to licensing under the Act for: any violation of RCW  
3 19.146.0201(1) through (9) or RCW 19.146.200, RCW 19.146.205(4).

4 **3.2 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2), the Director may impose fines  
5 against a licensee or other persons subject to the Act for any violation of the Act.

6 **3.3 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-  
7 520(9) & (11), and WAC 208-660-550(5)(a), the Department will charge \$48 per hour for an  
8 examiner's time devoted to an investigation of a licensee or other person subject to the Act.

9 **IV. NOTICE OF INTENTION TO ENTER ORDER**

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

14 **4.1** Respondent Mi Casa Latina USA, Inc. be prohibited from participation in the conduct of the  
15 affairs of any mortgage broker subject to licensure by the Director, in any manner, for a period of five  
16 years.

17 **4.2** Respondent Tetyana Strelbytska be prohibited from participation in the conduct of the affairs  
18 of any mortgage broker subject to licensure by the Director, in any manner, for a period of five years.

19 **4.3** Respondent Jose Carino be prohibited from participation in the conduct of the affairs of any  
20 mortgage broker subject to licensure by the Director, in any manner, for a period of five years.

21 **4.4** Respondents Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino jointly and  
22 severally pay a fine which as of the date of these charges totals \$10,000.

1 **4.5** Respondents Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino jointly and  
2 severally pay an investigation fee which as of the date of these charges totals \$1,488.

3 **4.6** Respondents Mi Casa Latina USA, Inc., Tetyana Strelbytska, and Jose Carino maintain  
4 records in compliance with the Act and provide the Department with the location of the books,  
5 records and other information relating to Respondents' mortgage broker business, and the name,  
6 address and telephone number of the individual responsible for maintenance of such records in  
7 compliance with the Act.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges is entered pursuant to the provisions of RCW 19.146.220, RCW  
3 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter  
4 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a  
5 hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR  
6 HEARING accompanying this Statement of Charges.

7  
8 Dated this 2<sup>nd</sup> day of August, 2011



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DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

17 Presented by:

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STEVEN C. SHERMAN  
Financial Legal Examiner

22 Approved by:

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JAMES R. BRUSSELBACK  
Enforcement Chief

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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:

C-09-128-11-SC01

NOTICE OF OPPORTUNITY TO DEFEND AND  
OPPORTUNITY FOR HEARING

MI CASA LATINA USA, INC.,  
TETYANA STRELBYTSKA, President, Owner, and  
Loan Originator, and  
JOSE CARINO, Unlicensed Loan Originator,

Respondents.

**THE STATE OF WASHINGTON TO:** MI CASA LATINA USA, INC.  
TETYANA STRELBYTSKA  
JOSE CARINO

You are notified that a Statement of Charges has been filed against you by the Department of Financial Institutions (Department), a true and correct copy is attached.

**APPLICATION FOR ADJUDICATIVE HEARING**

You are further notified that you may file an application for adjudicative hearing before the Department on the Statement of Charges. Service of this notice is deemed complete upon deposit in the United States mail. Your application for adjudicative hearing must be received by the Department within twenty (20) days from the date you received this notice.

**ADJUDICATIVE HEARING**

If you request an adjudicative hearing, you will be notified of the time and place for the hearing at least seven (7) days in advance of the hearing date. In most cases, a conference ("prehearing conference") will be conducted before the hearing to discuss preliminary matters and select mutually convenient hearing dates. At the hearing, you may appear personally, and by counsel, if you desire. The hearing will be as informal as is practical within the requirements of the Administrative Procedure Act (see chapter 34.05 RCW). The hearing will be recorded. The primary concern will be getting to the truth of the matter insofar as the Statement of Charges is concerned. Technical rules of evidence will not be binding at the hearing except for the rules or privilege recognized by law. You have the

1 right to present evidence and witnesses in your own behalf, and to cross-examine those witnesses presented in  
2 support of the Statement of Charges. You may require the attendance of witnesses by subpoena.

3 **INTERPRETER AVAILABILITY**

4 If you or a witness for you is a person who, because of non-English-speaking cultural background, cannot  
5 readily speak or understand the English language, you have the right to have an interpreter appointed at no cost to  
6 you.

7 If you or a witness for you is a person who, because of a hearing or speech impairment, cannot readily  
8 understand or communicate in spoken language, you have the right to have an interpreter appointed at no cost to you.

9 IF YOU NEED AN INTERPRETER, then a qualified interpreter will be appointed at no cost to you or to the  
10 witness. You may request the appointment of a qualified interpreter by indicating your request on the attached  
11 Application for Adjudicative Hearing form.

12 **WARNING**

13 You are further notified that if the Department does not RECEIVE the completed Application for  
14 Adjudicative Hearing form within twenty (20) days from the date you received this notice, this will constitute a  
15 waiver of your right to a hearing and the Department will find that you do not contest the allegations in the Statement  
16 of Charges. Upon such a finding, a final order will be immediately entered disposing of this matter as described in  
17 the Statement of Charges. If you desire a hearing in this matter, you must complete and return the attached  
18 Application for Adjudicative Hearing to:

19 Department of Financial Institutions  
20 Division of Consumer Services  
21 Attn: Fatima Batie  
22 PO Box 41200  
23 Olympia, Washington 98504-1200

24 Dated this 2<sup>nd</sup> day of August, 2011



*Deborah Bortner*

DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions