

# Terms Completed

## ORDER SUMMARY – Case Number: C-17-2142

Name(s): Mr. Allan Gregory Mohr

\_\_\_\_\_

Order Number: C-17-2142-17-FO01

Effective Date: 04/13/2017

License Number: 110560

Or NMLS Identifier [U/L]

License Effect: Application denied

\_\_\_\_\_

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

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

Prohibition/Ban Until: \_\_\_\_\_

<b>Investigation Costs</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<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>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>	<input type="checkbox"/> Y <input type="checkbox"/> N			
No. of Victims:				

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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  
3 in WAC 208-08-050(2).

4 B. Record Presented. The record presented to the Director's designee for his review and  
5 for entry of a final decision included the following: Statement of Charges, cover letter dated  
6 February 15, 2017, Notice of Opportunity to Defend and Opportunity for Hearing, and blank  
7 Application for Adjudicative Hearing for Respondent, with documentation for service.

8 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the  
9 Director's 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 Allan Gregory Mohr's application for a license to conduct the  
15 business of a Mortgage Loan Originator is denied.

16 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
17 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
18 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
19 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
20 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
21 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
22 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

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

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

18 DATED this 13<sup>th</sup> day of April, 2017.

19  
20 STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

21  
22 /s/ \_\_\_\_\_  
CHARLES E. CLARK  
Director  
23 Division of Consumer Services



1 previously disclosed one unpaid tax lien, Respondent did not disclose a further three additional  
2 unpaid tax liens until February 3, 2017.

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

### 4 **2.1 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness.**

5 Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the  
6 requirements of RCW 31.04.247(1)(e) and WAC 208-620-710 by failing to demonstrate financial  
7 responsibility, character, and general fitness such as to command the confidence of the community  
8 and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and  
9 efficiently within the purposes of the Act. Pursuant to WAC 208-620-710(3)(b), an applicant has not  
10 demonstrated financial responsibility when the applicant shows disregard in the management of his or  
11 her financial condition. A determination that an individual has shown disregard in the management  
12 of his or her financial condition may include, but is not limited to, and assessment of: Current  
13 outstanding judgments, except judgments solely as a result of medical expenses; current outstanding  
14 tax liens or other government liens and filings; foreclosures within the last three years; or a pattern of  
15 seriously delinquent accounts within the past three years. Specifically, an applicant is not eligible to  
16 receive a loan originator license if the applicant has one hundred thousand dollars or more of tax liens  
17 at the time of application.

## 18 **III. AUTHORITY TO IMPOSE SANCTIONS**

19 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW  
20 31.04.247(2), the Director shall not issue a mortgage loan originator license if the director finds the  
21 conditions of RCW 31.04.247 have not been met.

22 **3.2 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director  
23 may recover the state's costs and expenses for prosecuting violations of the Act.

1 **IV. NOTICE OF INTENT TO ENTER ORDER**

2 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,  
3 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose  
4 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW  
5 31.04.205, and RCW 31.04.247. Therefore, it is the Acting Director’s intent to ORDER that:

6 4.1 Respondent Allan Gregory Mohr’s application for a mortgage loan originator license  
7 be denied.

8 4.2 Respondent Allan Gregory Mohr pay the Department’s costs and expenses for  
9 prosecuting violations of the Act in an amount to be determined at hearing or by  
10 declaration with supporting documentation in event of default by Respondent.

11 //  
12 //  
13 //  
14 //  
15 //  
16 //  
17 //  
18 //  
19 //  
20 //  
21 //  
22 //  
23 //  
24 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**V. AUTHORITY AND PROCEDURE**

This Statement of Charges and Notice of Intent to Enter an Order to Deny License Application and Recover Costs and Expenses (Statement of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05 RCW, the Administrative Procedure Act. Respondent may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND accompanying this Statement of Charges.

Dated this 2<sup>nd</sup> day of February, 2017.

/s/ \_\_\_\_\_  
CHARLES E. CLARK  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

\_\_\_\_\_/s/\_\_\_\_\_  
ROBERT E. JONES  
Financial Legal Examiner

Approved by:

\_\_\_\_\_/s/\_\_\_\_\_  
STEVEN C. SHERMAN  
Enforcement Chief