

ORDER SUMMARY
Consumer Services Division Case Number C-23-3508

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

Names	Mortgage Diva, LLC, NMLS # 1978064 Jenifer M. Fry, NMLS # 1211680
Order Number	C-23-3508-23-CO01
Date issued	7/10/2023

What does this Consent Order require?

- Pay an investigation fee of \$393.60 (Investigation fees cover the cost of DFI staff time working on the investigation.)
- **All terms of this order are complete.**

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
Mortgage Broker Practices Act of Washington
by:

MORTGAGE DIVA, LLC,
NMLS # 1978064, and
JENIFER M. FRY,
Owner, NMLS # 1211680,

Respondents.

No.: C-23-3508-23-CO01

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Lucinda Fazio, Director, Division of Consumer Services, and Mortgage Diva, LLC,
(Respondent Mortgage Diva) and Jenifer Fry, Owner of Respondent Mortgage Diva (Respondent
Fry), 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) 19.146, the Mortgage Broker Practices Act (Act), and RCW
34.05.060 of the Administrative Procedure Act, based on the following:

FINDINGS OF FACT

1.1 Respondent Mortgage Diva has never obtained a mortgage broker license in accordance with
the Act from the Department.

1.2 Respondent Fry is the owner and a loan processor of Respondent Mortgage Diva.

1.3 Respondent Fry has never obtained a loan originator license in accordance with the Act from
the Department.

1.4 Between April 12, 2021, and March 22, 2022, Respondents processed at least five residential
mortgage loans for real estate located in Washington as an independent contractor for a company

CONSENT ORDER
C-23-3508-23-CO01
MORTGAGE DIVA, LLC,
JENIFER M. FRY

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

1 licensed as a mortgage broker under the Act. Respondents collected and distributed information for
2 the processing of the loans, and communicated with borrowers to obtain the information needed to
3 process the loans.

4 **CONCLUSIONS OF LAW**

5 **2.1** Based on the above Findings of Fact, Respondent Mortgage Diva violated RCW
6 19.146.200(1) by engaging in the business of a mortgage broker without first obtaining and
7 maintaining a license under the Act; and WAC 208-660-300(13) by engaging in the business of an
8 independent loan processing company without first obtaining and maintaining a mortgage broker
9 license under the Act, without having a designated broker, and without having at least one licensed
10 loan originator.

11 **2.2** Based on the above Findings of Fact, Respondent Fry violated RCW 19.146.200(1) by
12 engaging in the business of a loan originator without first obtaining and maintaining a license under
13 the Act; and RCW 19.146.0201(11) by failing to comply with federal law applicable to the Act,
14 specifically, 12 U.S.C. § 5103(b)(2) that requires a state issued loan originator license to engage in
15 the business of an independent contractor loan processor for residential mortgage loans.

16 **AGREEMENT AND ORDER**

17 The Department and Respondent have agreed upon a basis for resolution of the Findings of
18 Fact and Conclusions of Law identified in this Consent Order. Pursuant to RCW 19.146.218 and
19 RCW 34.05.060, Respondents and the Department agree to entry of this Consent Order and further
20 agree that the matters alleged herein may be economically and efficiently settled by the entry of this
21 Consent Order.

22 Based upon the foregoing:
23

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 Respondents hereby waive any right they have to a
4 hearing and any and all administrative and judicial review of the issues raised in this matter or the
5 resolution reached herein.

6 **C. No Admission of Liability.** The parties intend this Consent Order to fully resolve the matters
7 alleged herein and agree that Respondents neither admit nor deny any wrongdoing by its entry.

8 **D. Licenses Required.** It is AGREED that in order to engage in the business of an independent
9 loan processing company for residential mortgage loans for real estate located in Washington,
10 Respondents must obtain a mortgage broker license and loan originator license in accordance with
11 the Act, or qualify for an exemption from licensing as delineated in the Act. It is further AGREED
12 that the entry of this Consent Order will not preclude Respondents from obtaining mortgage broker or
13 loan originator licenses in the future, so long as Respondents have complied with the terms of this
14 Consent Order and so long as Respondents meet all license application requirements.

15 **E. Investigation Fee.** It is AGREED that Respondents shall jointly and severally pay an
16 investigation fee to the Department in the amount of \$393.60 in the form of a cashier's check made
17 payable to the "Washington State Treasurer" upon delivery of this Consent Order to the Department,
18 properly dated and signed.

19 **F. Records Retention.** It is AGREED that Respondent Mortgage Diva, its officers, employees,
20 and agents shall maintain records in compliance with the Act and provide the Director with the
21 location of the books, records and other information relating to Respondent's mortgage broker
22 business conducted prior to licensure, and the name, address and telephone number of the individual
23 responsible for maintenance of such records in compliance with the Act.

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

5 **H. Voluntarily Entered.** It is AGREED that Respondents have voluntarily entered into this
6 Consent Order, which is effective when signed by the Director's designee.

7 **I. Completely Read, Understood, and Agreed.** It is AGREED that Respondents have read
8 this Consent Order in its entirety and fully understands and agrees to all of the same.


9 **J. Authority to Execute Order.** It is AGREED that the undersigned authorized representative
10 has represented and warranted that they have the full power and right to execute this Consent Order
11 on behalf of Respondent Mortgage Diva.

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


15 **RESPONDENTS:**

Mortgage Diva, LLC

16 By:

17 
18 Jenifer Fry
19 Owner

6-21-23
Date

20 
21 Jenifer Fry
22 Individually

6-21-23
Date

23 DO NOT WRITE BELOW THIS LINE

24 CONSENT ORDER
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JENIFER M. FRY

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

1 THIS ORDER ENTERED THIS 10th DAY OF July, 2023.



4 [REDACTED]

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

6 Presented by:

7 [REDACTED]

8 MEGAN GUTHRIE
9 Financial Legal Examiner

10 Approved by:

11 [REDACTED]

12 JACK McCLELLAN
13 Enforcement Chief

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