

# Terms Completed

## ORDER SUMMARY – Case Number: C-22-3406

**Name:** Nathan Cummings

**Order Number:** C-22-3406-22-FO01

**Effective Date:** 12-19-2022

**License Number:** 1983412  
**Or NMLS Identifier [U/L]**

**License Effect:** Application Denied

**Not Apply Until:** N/A

**Not Eligible Until:** N/A

**Prohibition/Ban Until:** N/A

<b>Investigation Costs</b>	\$ N/A		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:	N/A		

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

\_\_\_\_\_

\_\_\_\_\_

1  
2  
3  
4  
5  
6

**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING:  
The loan originator license application under the  
Consumer Loan Act of Washington by:

No.: C-22-3406-22-FO01

FINAL ORDER

NATHAN CUMMINGS,  
NMLS # 1983412,

Respondent.

7  
8

**I. DIRECTOR'S CONSIDERATION**

9  
10  
11  
12  
13  
14  
15  
16  
17

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through his designee, Consumer Services Division Director, Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On November 1, 2022, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Deny License Application (Statement of Charges) against Nathan Cummings (Respondent). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated November 1, 2022, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing (collectively, accompanying documents).

18  
19  
20  
21  
22  
23

On November 1, 2022, the Department served Respondent with the Statement of Charges and accompanying documents, sent by First-Class mail and Federal Express overnight delivery. On November 3, 2022, the documents sent via Federal Express overnight delivery were delivered. The documents sent via First-Class mail were not returned to the Department by the United States Postal Service.

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 Statement of Charges, cover letter dated November 1, 2022,  
6 Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative  
7 Hearing for Respondent, with documentation of 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 Respondent Nathan Cumming's application for a license to conduct the business of a  
15 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. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
11 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
12 attached hereto.

13 DATED this 19th day of December, 2022.



14  
15  
16 STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

17 /s/

18 \_\_\_\_\_  
Lucinda Fazio, Director  
19 Division of Consumer Services



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

2 **2.1 Requirement of No Prior Criminal Convictions.** Based on the Factual Allegations set forth  
3 in Section I above, Respondent fails to meet the requirements of RCW 31.04.247(1)(d) and WAC  
4 208-620-710(4)(c) by having been convicted of, or having pled guilty or nolo contendere to, a  
5 misdemeanor under Utah law [REDACTED] that is the equivalent of at  
6 least a gross misdemeanor [REDACTED] under Washington law,  
7 during the seven-year period preceding the date of the application for licensing and registration.

8 **III. AUTHORITY TO IMPOSE SANCTIONS**

9 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW  
10 31.04.247(2), the Director shall not issue a mortgage loan originator license if the director finds the  
11 conditions of RCW 31.04.247 have not been met.

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

13 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,  
14 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose  
15 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW  
16 31.04.205, and RCW 31.04.247. Therefore, it is the Director’s intention to ORDER that:

17 **4.1** Respondent Nathan Cummings’s application for a mortgage loan originator license be  
18 denied.

19 **V. AUTHORITY AND PROCEDURE**

20 This Statement of Charges and Notice of Intention to Enter an Order to Deny License  
21 Application (Statement of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW  
22 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05  
23 RCW, the Administrative Procedure Act. Respondent may make a written request for a hearing as  
24

1 set forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO  
2 DEFEND accompanying this Statement of Charges.

3 Dated this 21st day of October, 2022



4  
5 /s/  
6 LUCINDA FAZIO, Director  
7 Division of Consumer Services  
8 Department of Financial Institutions

9 Presented by:

10  
11 /s/  
12 MEGAN GUTHRIE  
13 Financial Legal Examiner

14 Approved by:

15 /s/  
16 JACK McCLELLAN  
17 Enforcement Chief