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

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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-04-120-04-CO01

MORTGAGE SERVICES USA, INC. AND ALAN  
SCHEIN, PRESIDENT AND OWNER  
Respondents

CONSENT ORDER

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COMES NOW the Director of the Department of Financial Institutions (Director), through her designee Chuck Cross, Division Director, Division of Consumer Services, and Mortgage Services USA, Inc. and Alan Schein, President and Owner (hereinafter collectively as Respondents), and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 31.04 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

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**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-04-120-04-SC01, entered June 25, 2004, (copy attached hereto). Pursuant to chapter 31.04 RCW, the Consumer Loan 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 Order to fully resolve Statement of Charges No. C-04-120-04-SC01, entered June 25, 2004.

Based upon the foregoing:

A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed herein.

CONSENT ORDER  
MORTGAGE SERVICES USA, INC.  
C-04-120-04-CO01

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DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
210 11<sup>th</sup> Ave SW, Room 300  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8795

1           **B. Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a hearing before  
2 an administrative law judge, and that they have waived their right to a hearing and any and all administrative and  
3 judicial review of the issues raised in this matter, or of the resolution reached herein.

4           **C. Consumer Loan License.** It is AGREED that Respondents have voluntarily surrendered their consumer  
5 loan license. It is further AGREED that Respondents shall not apply to the Department for any license for a period of  
6 three (3) years from the entry of this Consent Order.

7           **D. Annual Assessments.** It is AGREED that Respondents have filed the Annual Assessment Worksheets and  
8 have paid any assessments due prior to the entry of this order.

9           **E. Compliance with the Law.** It is AGREED that Respondents shall comply with the Consumer Loan Act  
10 and the rules adopted thereunder, particularly, the provisions relating to maintenance of records. It is further AGREED  
11 that Respondents has provided the Department with the fully completed “Consumer Loan Office Closure Form” which,  
12 among other things, indicates the location of its records.

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

17           **G. Authority to Execute Order.** It is AGREED that the undersigned have represented and warranted that  
18 they have the full power and right to execute this Consent Order on behalf of the parties represented.

19           **H. Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into this  
20 Consent Order, which is effective when signed by the Director’s designee.

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

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**RESPONDENTS:**

**MORTGAGE SERVICES USA Inc.**

By:

\_\_\_\_\_  
ALAN SCHEIN, Individually and as  
President and Owner of Mortgage Services  
USA, Inc.

\_\_\_\_\_  
Date

**DO NOT WRITE BELOW THIS LINE**

THIS ORDER ENTERED THIS 20<sup>th</sup> DAY OF July, 2004.

/s \_\_\_\_\_  
Chuck Cross, Division Director  
Division of Consumer Services  
Department of Financial Institutions