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ENFORCEMENT UNIT
DIVISION OF CONSUMER SERVICES
DEPT 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:

NO. C-06-175-08-CO01

INFINITY FINANCIAL GROUP LLC, and
JEROD LEE KEYSER, Owner and
Designated Broker,

CONSENT ORDER

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Infinity Financial Group LLC (hereinafter Respondent Infinity), and Jerod Lee Keyser, Owner and Designated Broker (hereinafter Respondent Keyser), 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 19.146 of 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-06-175-08-SC01 (Statement of Charges), entered April 30, 2008, (copy attached hereto). Pursuant to

CONSENT ORDER
C-06-175-08-CO01
Infinity Financial Group LLC and
Jerod Lee Keyser

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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 chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the
2 Administrative Procedure Act, Respondents hereby agree to the Department's entry of this Consent Order
3 and further agree that the issues raised in the above captioned matter may be economically and efficiently
4 settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the
5 Statement of Charges and agree that Respondents do not admit any wrongdoing by its entry.
6 Respondents are agreeing not to contest the Statement of Charges in consideration of the terms of this
7 Consent Order.

8 Based upon the foregoing:

9
10 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of
11 the activities discussed herein.

12 B. **Waiver of Hearing.** It is AGREED that Respondents have been informed of the right to a
13 hearing before an administrative law judge, and that they have waived their right to a hearing and any and
14 all administrative and judicial review of the issues raised in this matter, or of the resolution reached
15 herein. Accordingly, Respondents agree to withdraw their appeal and to inform the Office of
16 Administrative Hearings in writing of their withdrawal.

17 C. **License Revocation.** It is AGREED that Respondent Infinity's license to conduct the
18 business of a mortgage broker is revoked. It is further AGREED that Respondent Keyser's license to
19 conduct the business of a designated broker and loan originator is revoked.

20
21 D. **Prohibition from Industry.** It is AGREED that Respondents are prohibited from
22 participating in the conduct of the affairs of any mortgage broker licensed by the Department or any
23 person subject to licensure or regulation by the Department or for ten years from the date of entry of this
24 Consent Order in any capacity, including but not limited to: (1) any financial capacity whether active or
25

1 passive or (2) as an officer, director, principal, designated broker, employee, or loan originator or (3) any
2 management, control, oversight or maintenance of any trust account(s) in any way related to any
3 residential mortgage transaction or (4) receiving, disbursing, managing or controlling in any way,
4 consumer trust funds in any way related to any residential mortgage transaction.

5 **E. Restitution.** It is AGREED that Respondents shall pay restitution in the amount of \$2,951.50
6 to the borrowers in loan number 40918515 in the form of a cashier's check made payable to the
7 borrower(s) and provide proof of such payment prior to the entry of this Consent Order.

8 **F. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an
9 investigation fee of \$1,165.67, in the form of a cashier's check made payable to the "Washington State
10 Treasurer," upon entry of this Consent Order.

11 **G. Records Retention.** It is AGREED that Respondents shall maintain records in compliance
12 with the Act and provide the Department with the location of the books, records and other information
13 relating to Respondent's mortgage broker business, and the name, address, and telephone number of the
14 individual responsible for maintenance of such records in compliance with the Act.

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

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

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

1 **RESPONDENTS:**

2 **Infinity Financial Group LLC**

3 By: *[Signature]*
4 Jerod Lee Keyser
5 Owner and Designated Broker

11/30/08
Date

6 *[Signature]*
7 Jerod Lee Keyser
8 Individually

9/30/08
Date

9
10 **DO NOT WRITE BELOW THIS LINE**

11 THIS ORDER ENTERED THIS 30th DAY OF December, 2008.

12 *[Signature]*

13 DEBORAH BORTNER
14 Director
15 Division of Consumer Services
16 Department of Financial Institutions

17 Presented by:

18 *[Signature]*

19 STEVEN C. SHERMAN
20 Financial Legal Examiner



21 Approved by:

22 *[Signature]*

23 JAMES R. BRUSSELBACK
24 Enforcement Chief