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

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IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

NO. C-06-195-08-CO01

MERIT FINANCIAL, INC., and  
SCOTT DAVID GREENLAW,  
Chief Executive Officer, 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 Merit Financial, Inc., (hereinafter Respondent Merit Financial), and Scott David Greenlaw, Chief Executive Officer, Owner, and Designated Broker (hereinafter Respondent Greenlaw), by and through attorney Donald A. Bailey, 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 the 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-06-195-07-SC01 (Statement of Charges), entered December 28, 2007, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices 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 the Statement of Charges. Respondents are agreeing not to contest the Statement of Charges in consideration of the terms of this Consent Order.

CONSENT ORDER  
C-06-195-07-SC01  
Merit Financial, Inc., and  
Scott David Greenlaw

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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 Based upon the foregoing:

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

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

9 C. **Prohibition from Industry.** It is AGREED that Respondent Merit Financial is prohibited from  
10 participating in the conduct of the affairs of any mortgage broker licensed by the Department or subject to  
11 licensure or regulation by the Department or any mortgage broker exempt from Washington law under RCW  
12 19.146.020(1)(e) or (g) for five years from the date of entry of this Consent Order in any capacity, including but  
13 not limited to: (1) any financial capacity whether active or passive, or (2) as an officer, director, principal,  
14 designated broker, employee, or loan originator, or (3) any management, control, oversight or maintenance of any  
15 trust account(s) in any way related to any residential mortgage transaction, or (4) receiving, disbursing, managing  
16 or controlling in any way, consumer trust funds in any way related to any residential mortgage transaction.

17 D. **Agreement not to Apply.** It is AGREED that Respondent Greenlaw shall not apply to the  
18 Department for a license to conduct business as a mortgage broker or a designated broker for five years from the  
19 date of this Consent Order. It is further AGREED that, should Respondent Greenlaw apply to the Department for  
20 a mortgage broker or designated broker license at any time later than five years from the date of entry of this  
21 Consent Order, Respondent Greenlaw shall be required to meet any and all application requirements in effect at  
22 that time.

23 E. **License Application Withdrawal.** It is AGREED that Respondent Greenlaw's license to conduct  
24 business as a Loan Originator, received by the Department on or about June 19, 2007, is withdrawn and the related

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1 licensing fee shall not be refunded. It is further AGREED that Respondent Greenlaw may reapply for a license to  
2 conduct business as a loan originator, and that the Department shall not use the facts from this case to determine  
3 whether a loan originator license shall be issued. Respondent Greenlaw understands and AGREES that nothing in  
4 this Consent Order shall alter or affect the statutory requirements to obtain a loan originator license, and that this  
5 Consent Order specifically does not guarantee that a loan originator license shall be issued.

6 **F. Investigation Fee.** It is AGREED that Respondents shall pay to the Department an investigation fee  
7 of \$1,555.24, in the form of a cashier's check made payable to the "Washington State Treasurer," upon entry of  
8 this Consent Order.

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

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

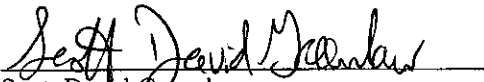
16 **I. Voluntarily Entered.** It is AGREED that the undersigned Respondents have voluntarily entered into  
17 this Consent Order, which is effective when signed by the Director's designee.

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

20 **RESPONDENTS:**

21 **Merit Financial, Inc.**

22 By:

23   
24 Scott David Greenlaw  
Chief Executive Officer

11/26/2008  
Date

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Scott David Greenlaw  
Scott David Greenlaw  
Individually

11/26/2008  
Date

Donald A. Bailey  
Donald A. Bailey, WSBA #12289  
Attorney at Law  
Attorney for Respondent Greenlaw

11/28/08  
Date

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 3<sup>rd</sup> DAY OF December, 2008.

Deborah Bortner  
DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:

Steven C. Sherman  
STEVEN C. SHERMAN  
Financial Legal Examiner



Approved by:

James R. Brusselback  
JAMES R. BRUSSELBACK  
Enforcement Chief