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

IN THE MATTER OF INVESTIGATING  
the Loan Originator License Application under the  
Mortgage Broker Practices Act of Washington by:

SLAVA DEKMAN,

Respondent.

NO. C-07-493-07-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
AN ORDER TO DENY LICENSE APPLICATION  
AND PROHIBIT FROM INDUSTRY

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**INTRODUCTION**

Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the Mortgage Broker Practices Act (Act)<sup>1</sup>. After having conducted an investigation pursuant to RCW 19.146.310, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondent Slava Dekman (Respondent Dekman)** submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under FCI Capital Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about December 21, 2006.

**1.2 Prior Administrative Action.** On March 7, 2005, Respondent Dekman and the Department entered into Consent Order No. C-02-373-05-CO03. In that Consent Order, Respondent Dekman agreed to the revocation of his Escrow Agent License and agreed to be prohibited from the escrow industry in this State for a period of five years.

<sup>1</sup> RCW 19.146 (Amended 2006; Effective January 1, 2007)

1 **1.3 Responses to Application Questions.** The “Regulatory Action Disclosure” section of the loan  
2 originator license application consists of nine questions, and includes the following instruction:

3 “If the answer to any of the following is “YES”, provide complete details of all events or proceedings.”

4 Respondent Dekman answered “no” to the following questions on the “Regulatory Action Disclosure” section  
5 of his loan originator license application:

- 6 • 4 – Has a State or federal regulatory agency or foreign financial authority ever: Entered an  
7 order against you in connection with a financial services related activity?
- 8 • 5 - Has a State or federal regulatory agency or foreign financial authority ever: Denied,  
9 suspended, or revoked your registration or license, disciplined you, or otherwise by order,  
10 prevented you from associating with a financial services-related business or restricted your  
11 activities?
- 12 • 6 - Has a State or federal regulatory agency or foreign financial authority ever: Barred you  
13 from association with an entity regulated by such commission, authority, agency or officer, or  
14 from engaging in a financial services-related business?

15 Respondent Dekman was obligated by statute to answer questions on the loan originator license application  
16 truthfully and to provide the Department with complete details of all events or proceedings.

## 17 **II. GROUNDS FOR ENTRY OF ORDER**

18 **2.1 Requirement of No Prior License Suspension or Revocation.** Based on the Factual Allegations set  
19 forth in Section I above, Respondent Dekman fails to meet the requirements of RCW 19.146.310(1)(c) and  
20 WAC 208-660-350(2)(b) by having a license issued under this chapter or any similar state statute suspended or  
21 revoked within five years of the filing of the present application.

22 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent  
23 Dekman is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making  
24 any false statement or willfully making any omission of material fact in connection with any application or any  
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1 information filed by a licensee in connection with any application, examination or investigation conducted by  
2 the Department.

3 **2.3 Requirement to Provide Information on License Application.** Based on the Factual Allegations set  
4 forth in Section I above, Respondent Dekman fails to meet the requirements of RCW 19.146.300(1) and (2) and  
5 RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form  
6 prescribed by the Director.

7 **2.4 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set  
8 forth in Section I above, Respondent Dekman fails to meet the requirements of RCW 19.146.310(1)(g) and  
9 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the  
10 confidence of the community and to warrant a belief that the business will be operated honestly and fairly  
11 within the purposes of the Act.

### 12 **III. AUTHORITY TO IMPOSE SANCTIONS**

13 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the  
14 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the  
15 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by  
16 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application  
17 of the denial.

18 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5)(a), the Director may issue  
19 orders removing from office or prohibiting from participation in the conduct of the affairs of a licensed  
20 mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage broker  
21 or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9).

### 22 **IV. NOTICE OF INTENTION TO ENTER ORDER**

23 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth  
24 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis  
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1 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.

2 Therefore, it is the Director's intention to ORDER that:

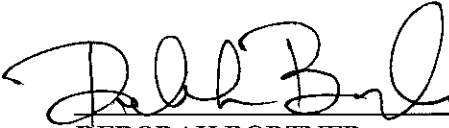
3 4.1 Respondent Slava Dekman's application for a loan originator license be denied.

4 4.2 Respondent Slava Dekman be prohibited from participation in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, until December 21, 2013.

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6 **V. AUTHORITY AND PROCEDURE**

7 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and  
8 Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,  
9 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05  
10 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in  
11 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this  
12 Statement of Charges.

13 Dated this 17<sup>th</sup> day of December, 2007.

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16 DEBORAH BORTNER  
17 Director  
18 Division of Consumer Services  
19 Department of Financial Institutions

20 Presented by:

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22 EDWARD JURSEK  
23 Enforcement Attorney

24 Approved by:

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JAMES BRUSSELBACK  
Enforcement Chief

