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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
Escrow Agent Registration Act of Washington by:

NO. C-07-511-09-CO04

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OMNI CLOSING SERVICES, INC.,
SHEILA MARIE REIMER, Owner and Designated
Escrow Officer,
DIANE SUE GATES, Owner and Former
Designated Escrow Officer,

**CONSENT ORDER
DIANE SUE GATES**

Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Diane Sue Gates (hereinafter Respondent), and finding that the issues raised in the above-captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 18.44 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 Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-07-511-08-SC01 (Statement of Charges), entered October 20, 2008, (copy attached hereto). Pursuant to chapter 18.44 RCW, the Escrow Agent Registration Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees 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.

Based upon the foregoing:

CONSENT ORDER
C-07-511-09-CO04
Diane Sue Gates

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

3 B. **Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a hearing
4 before an administrative law judge, and hereby waives her right to a hearing and any and all administrative and
5 judicial review of the issues raised in this matter, or of the resolution reached herein. Accordingly, Respondent,
6 by her signature below, withdraws her appeal to the Office of Administrative Hearings.

7 C. **License Revocation.** It is AGREED that Respondent Diane Sue Gates' Escrow Officer license is
8 revoked.

9 D. **Prohibition from Industry.** It is AGREED that Respondent is prohibited from participating in the
10 conduct of the affairs of any escrow agent licensed by the Department or any person subject to licensure or
11 regulation by the Department for ten years from the date of entry of this Consent Order in any capacity, including
12 but not limited to: (1) any financial capacity whether active or passive; or (2) as an officer, director, principal,
13 escrow officer, designated escrow officer, or employee; or (3) any management, control, oversight or maintenance
14 of any trust account(s) in any way related to any escrow transaction; or (4) receiving, disbursing, managing or
15 controlling in any way, consumer trust funds in any way related to any escrow transaction.

16 E. **Application for License.** It is AGREED that Respondent shall not apply to the Department for any
17 license under any name for a period of ten years from the date of entry of this Consent Order. It is further
18 AGREED that, should Respondent apply to the Department for any license under any name at any time later than
19 ten years from the date of entry of this Consent Order, Respondent shall be required to meet any and all
20 application requirements in effect at that time.

21 F. **Declaration of Financial Condition and Confession of Judgment.** It is AGREED that Respondent
22 has provided the Department with a Declaration comprehensively describing her financial condition and
23 representing her current inability to pay the fine obligation agreed to in Paragraph G of this Consent Order. It is
24 further AGREED that, based on this Declaration, the Department has accepted a Confession of Judgment from

1 Respondent for the fine obligation agreed to in Paragraph G of this Consent Order. A copy of this Confession of
2 Judgment is attached and incorporated into this Consent Order by this reference. Consistent with Chapter 4.60 of
3 the Revised Code of Washington, the Department may immediately seek entry of the judgment. Respondent shall,
4 upon the Department's request, fully and promptly cooperate with the Department in its efforts to get the judgment
5 entered by the superior court.

6 **G. Confession of Judgment for Fine.** It is AGREED that Respondent has entered into a Confession of
7 Judgment for a fine in the amount of \$5,000 owed to the Department.

8 **H. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to abide
9 by the terms and conditions of this Consent Order may result in further legal action by the Director. In the
10 event of such legal action, Respondent may be responsible to reimburse the Director for the cost incurred in
11 pursuing such action, including but not limited to, attorney fees.

12 **I. Voluntarily Entered.** It is AGREED that the undersigned Respondent has voluntarily entered into
13 this Consent Order, which is effective when signed by the Director's designee.

14 **J. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read this Consent
15 Order in its entirety and fully understands and agrees to all of the same.

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1 **RESPONDENT:**

2
3 *Diane Sue Gates*
4 Diane Sue Gates
Individually

8-14-09
Date

5 **DO NOT WRITE BELOW THIS LINE**

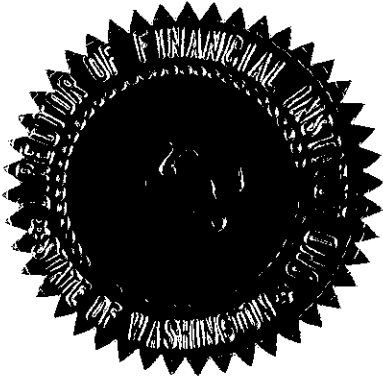
6 THIS ORDER ENTERED THIS 2nd DAY OF September, 2009.

7
8 *Deborah Bortner*
9 DEBORAH BORTNER
Director
10 Division of Consumer Services
Department of Financial Institutions

11 Presented by:

12 *M.T. Olson*

13
14 MARK T. OLSON
15 Financial Examiner



16 Approved by:

17 *James R. Brunselback*
18 JAMES R. BRUSSELBACK
19 Enforcement Chief

COPY

STATE OF WASHINGTON
SPOKANE COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
DEPARTMENT OF FINANCIAL
INSTITUTIONS,

Plaintiff,

v.

DIANE SUE GATES,

Defendant.

NO.

CONFESSION OF JUDGMENT

Judgment Summary

Judgment Creditor: State of Washington, Department of Financial Institutions

Attorneys for Department of Financial Institutions: Robert M. McKenna, Washington Attorney General
Chad C. Standifer, Assistant Attorney General

Judgment Debtor: Diane Sue Gates

Principal Judgment Amount for Fine: \$5,000.00 owed to the Department of Financial Institutions

Total Judgment Amount: \$5,000.00

Post-Judgment Interest (per annum): 12%

Pursuant to Chapter 4.60 of the Revised Code of Washington, Judgment by Confession, defendant Diane Sue Gates hereby authorizes entry of a judgment under the following terms:


1 **Factual Basis for Judgment**

2 The State of Washington, Department of Financial Institutions and Diane Sue Gates
3 have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-07-
4 511-08-SC01 (Statement of Charges), entered October 20, 2008. Diane Sue Gates has agreed to
5 enter into a Confession of Judgment, pursuant to chapter 4.60 RCW, in the amount of
6 \$5,000.00, which she shall pay to the Department of Financial Institutions for a fine.

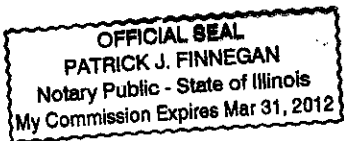
7 **Authorization for Entry of Judgment**

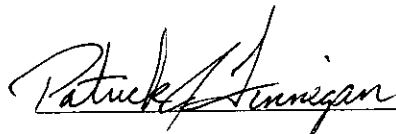
8 I, Diane Sue Gates, being duly sworn upon oath, acknowledge my debt of \$5,000.00 to
9 the Department of Financial Institutions and I authorize entry of judgment against me for the
10 amount set forth in the judgment summary above.

11 DATED this 14 day of Aug, 2009.

12 
13 Diane Sue Gates

14 SUBSCRIBED AND SWORN TO before me in Normal, Illinois this 14
15 day of August, 2009.



18 
19 Notary Public in and for the State of
20 Illinois, residing at Normal,
21 Illinois.
22 My Commission expires: March 31, 2012

23 **Order for Entry**

24 The above Confession of Judgment having been presented to this Court for entry in
25 accordance with RCW 4.60.070, the Court having found said Confession of Judgment to be
26 sufficient, now, therefore, it is hereby

1 ORDERED that the Clerk of this Court shall forthwith enter Judgment against Diane Sue
2 Gates, in accordance with the terms of the Confession of Judgment.

3 DONE IN OPEN COURT this _____ day of _____, 2009.

4
5 _____
6 JUDGE/COURT COMMISSIONER

7 Presented by:

8 ROBERT M. MCKENNA
9 Attorney General

10 _____
11 CHAD C. STANDIFER
12 Assistant Attorney General
13 WSBA No. 29724
14 Attorneys for State of Washington
15 Department of Financial Institutions
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