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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:

NO. C-07-555-08-FO01

FINAL ORDER

GARRETT JOHN SYTSMA, JR., aka
GARY SYTSMA, and aka
GARRETT SYTSMA,

Respondent.

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I. DIRECTOR'S CONSIDERATION

A. Procedural History: This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director) pursuant to RCW 34.05.440(1). On December 20, 2007, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intent to Enter an Order to Deny License Application and Prohibit from Industry (Statement of Charges). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated December 21, 2007, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing. The Department served the Statement of Charges, cover letter dated December 21, 2007, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing on Respondent on December 26, 2007, by Federal Express overnight delivery.

On December 27, 2007, Respondent filed the Application for Adjudicative Hearing. On December 29, 2007, the Department made a request to the Office of Administrative Hearings (OAH) to assign an Administrative Law Judge (ALJ) to schedule and conduct a hearing on the Statement of Charges. On January 24, 2008, ALJ Richard J. Roberts (ALJ Roberts) issued a Notice of Pre-Hearing Conference scheduling a pre-hearing conference for Tuesday, February 12, 2008, at 9:00 a.m.

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1 On February 12, 2008, Respondent Garrett John Sytsma and Assistant Attorney General Chad Corwyn
2 Standifer participated in a telephonic prehearing conference. On February 12, 2008, ALJ Roberts issued a Pre-
3 Hearing Conference Order scheduling a hearing on June 17, 2008.

4 On May 29, 2008, Respondent Sytsma filed a Notice of Withdrawal of Application for Adjudicative
5 Hearing with OAH. On June 12, 2008, ALJ Roberts issued an Order of Dismissal dismissing the matter. OAH
6 sent the Order of Dismissal to all parties.

7 B. Record Presented. The record presented to the Director for review and for entry of a final decision
8 included the following:

- 9 1. Statement of Charges, cover letter dated December 21, 2007, and Notice of Opportunity to
10 Defend and Opportunity for Hearing, with documentation of service;
- 11 2. Completed Application for Adjudicative Hearing;
- 12 3. Request to OAH for Assignment of Administrative Law Judge;
- 13 4. Notice of Pre-Hearing Conference with documentation of service;
- 14 5. Pre-Hearing Conference Order dated February 12, 2008, with documentation of service; and
- 15 6. Order of Dismissal dated June 12, 2008, with documentation of service.

16 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(2), the Director hereby adopts the
17 Statement of Charges, which is attached hereto.

18 II. FINAL ORDER

19 Based upon the foregoing, and the Director having considered the record and being otherwise fully
20 advised, NOW, THEREFORE:

21 A. IT IS HEREBY ORDERED that:

- 22 1. Respondent Garrett John Sytsma, Jr.'s application for a loan originator license is denied; and
- 23 2. Respondent Garrett John Sytsma, Jr. is prohibited from participation in the conduct of the affairs of any
mortgage broker subject to licensure by the Director, in any manner, through December 28, 2013.

24 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for
25 Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the

1 Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater,
2 Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of
3 service of the Final Order upon Respondent. The Petition for Reconsideration shall not stay the effectiveness of
4 this Order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

5 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the petition
6 is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the
7 date by which it will act on a petition.

8 C. Stay of Order. The Director has determined not to consider a Petition to Stay the effectiveness of this
9 order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter
10 34.05 RCW and RCW 34.05.550.

11 D. Judicial Review. Respondent has the right to petition the superior court for judicial review of this agency
12 action under the provisions of chapter 34.05 RCW. For the requirements for filing a Petition for Judicial Review,
13 see RCW 34.05.510 and sections following.

14 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial Review, service is
15 effective upon deposit of this Final Order in the U.S. mail, declaration of service attached hereto.

16 DATED this 16th day of December, 2008.



17 STATE OF WASHINGTON
18 DEPARTMENT OF FINANCIAL INSTITUTIONS

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20 SCOTT JARVIS, DIRECTOR
21 DEPARTMENT OF FINANCIAL INSTITUTIONS