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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:

KENNETH ARDEN GEBAROWSKI,
Respondent.

NO. C-08-080-08-FO01

FINAL ORDER

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I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of
Financial Institutions of the State of Washington (Director), through his designee, Consumer Services
Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On May 27, 2008, the Director,
through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and
Notice of Intention 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 May 28,
2008, 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 May 28,
2008, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
Adjudicative Hearing on Respondent on May 28, 2008, via first class mail. The documents sent via
first class mail were not returned to the Department by the United States Postal Service. The
Department also served the Statement of Charges, cover letter dated May 28, 2008, Notice of
Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing

1 on Respondent on August 21, 2008 by Federal Express overnight delivery. On August 22, 2008, the
2 documents sent via Federal Express overnight delivery were delivered.

3 Respondent did not request an adjudicative hearing within twenty calendar days after the
4 Department served him with the Notice of Opportunity to Defend and Opportunity for Hearing, as
5 provided for in WAC 208-08-050(2).

6 B. Record Presented. The record presented to the Director's designee for her review and
7 for entry of a final decision included the Statement of Charges, cover letter dated May 28, 2008, Notice of
8 Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing,
9 with documentation of service.

10 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
11 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

12 II. FINAL ORDER

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14 Based upon the foregoing, and the Director's designee having considered the record and
15 being otherwise fully advised, NOW, THEREFORE:

16 A. IT IS HEREBY ORDERED, That:

- 17 1. Respondent Kenneth Arden Gebarowski's application for a loan originator license is
18 denied; and
19 2. Respondent Kenneth Arden Gebarowski is banned from participation in the conduct
20 of the affairs of any mortgage broker subject to licensure by the Director, in any
manner, through August 10, 2014.

21 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a
22 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
23 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
24 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,

1 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The
2 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
3 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

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

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18 DATED this 24th day of September, 2008.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

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DEBORAH BORTNER
DIRECTOR
DIVISION OF CONSUMER SERVICES