

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

NO. C-09-030-09-SC01

COMMUNITY HOME LENDING, INC., and
CURTIS DEAN ORVIK, President, Owner and
Designated Broker,

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO CEASE AND DESIST, SUSPEND
LICENSE, IMPOSE FINE, AND COLLECT
INVESTIGATION FEE

Respondents.

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)¹. After having conducted an investigation pursuant to RCW 19.146.235, 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 Respondents.

A. **Community Home Lending, Inc. (Community Home Lending)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on August 10, 2001, and continues to be licensed to date. Respondent Community Home Lending is licensed to conduct the business of a mortgage broker at the following location:

7407 N. Division St. Ste. E
Spokane, WA 99208

¹ RCW 19.146 (2006)

1 **2.3 Requirement to Obtain and Maintain License.** Based on the Factual Allegations set forth in Section
2 I above, Respondents are in apparent violation of RCW 19.146.200 for engaging in the business of a mortgage
3 broker without first obtaining and maintaining a license under the Act.

4 **2.4 Requirement to Timely Renew License and Refrain from Conducting Business.** Based on the
5 Factual Allegations set forth in Section I above, Respondents are in apparent violation of WAC 208-660-
6 163(16), (17), and (18) for continuing to conduct the business of a mortgage broker after failing to timely renew
7 a license under the Act.

8 **2.5 Requirement to Maintain Surety Bond.** Based on the Factual Allegations set forth in Section I
9 above, Respondents are in apparent violation of RCW 19.146.205(4)(a) and WAC 208-660-175(1) for failing to
10 file and maintain a surety bond with the Department.

11 III. AUTHORITY TO IMPOSE SANCTIONS

12 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the Director may
13 issue orders directing a licensee, its employee or loan originator, or other person subject to the Act to cease and
14 desist from conducting business.

15 **3.2 Authority to Suspend License.** Pursuant to RCW 19.146.220(2)(c) the Director may suspend a license
16 failure to pay a fee required by the Director or maintain the required bond, or any violation of the Act.

17 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2) and (3) and WAC 208-660-530(6), the
18 Director may impose fines on a licensee, employee or loan originator of the licensee, or other person subject to
19 the Act for any violations of RCW 19.146.200, or any violation of the Act.

20 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-520(9) and
21 WAC 208-660-550(4) upon completion of any investigation of the books and records of a licensee or other person
22 subject to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover
23 the cost of the investigation. The investigation charge will be calculated at the rate of forty-eight dollars (\$48) per
24 hour that each staff person devoted to the investigation.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

V. AUTHORITY AND PROCEDURE

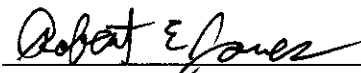
This Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Suspend License, Impose Fine, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondents may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

Dated this 28th day of July, 2009.

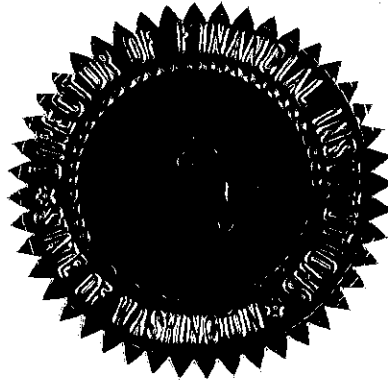


DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:



ROBERT E. JONES
Financial Legal Examiner



Approved by:



JAMES R. BRUSSELBACK
Enforcement Chief