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AUG 25 2009

ENFORCEMENT UNIT  
DIVISION OF CONSUMER SERVICES  
DEPT OF FINANCIAL INSTITUTIONS

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-09-082-09-CO01

RICHARD ALLEN TODHUNTER,  
Respondent.

CONSENT ORDER

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee Deborah Bortner, Division Director, Division of Consumer Services, and Richard Allen Todhunter, Loan Originator (hereinafter Respondent Todhunter), 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 19.146 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-09-082-09-SC01 (Statement of Charges), entered August 7, 2009, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices 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. Respondent agrees not to contest the Statement of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

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

CONSENT ORDER  
C-09-082-09-CO01  
Richard Allen Todhunter

DEPARTMENT OF FINANCIAL INSTITUTIONS  
Division of Consumer Services  
150 Israel Rd SW  
PO Box 41200  
Olympia, WA 98504-1200  
(360) 902-8703

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

5           **C. License Application.** It is AGREED that Respondent's Loan Originator license application will be  
6 returned to the Licensing Unit for processing.


7           **D. Compliance Examinations.** It is AGREED that Respondent is subject to a compliance examination  
8 during the twelve (12) months following the entry of this Order. The Department will conduct the examination at  
9 the Department's discretion, at Respondent's expense (not to exceed \$750). Respondent further AGREES to  
10 promptly respond and address any and all issues, if any, identified in the compliance examination to the  
11 satisfaction of the Department.

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

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

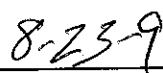
18           **G. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read this Consent  
19 Order in its entirety and fully understands and agrees to all of the same.

20 **RESPONDENT:**

21   
22 \_\_\_\_\_

23 Richard Allen Todhunter  
24 Individually

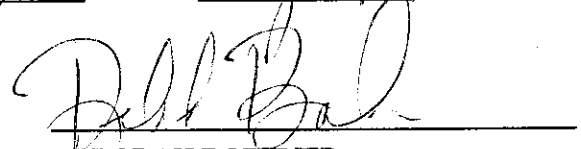
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DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 26<sup>th</sup> DAY OF August, 2009.



DEBORAH BORTNER  
Director  
Division of Consumer Services  
Department of Financial Institutions

Presented by:



FATIMA BATIE  
Financial Legal Examiner Supervisor

