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

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

C-09-350-09-TD01

CHARLES MICHAEL CZECH d/b/a CZECH
MORTGAGE and www.checkthedifference.com,
Owner and Designated Broker,

TEMPORARY ORDER TO
CEASE AND DESIST

Respondent.

8 THE STATE OF WASHINGTON TO:

CHARLES MICHAEL CZECH d/b/a CZECH
MORTGAGE and www.checkthedifference.com

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10 COMES NOW the Director of the Washington State Department of Financial Institutions (Director), by
11 and through his designee Deborah Bortner, Division Director, Division of Consumer Services (designee), and
12 finding that the public is likely to be substantially injured by delay in issuing a cease and desist order, the Director,
13 through his designee, Division of Consumer Services Director Deborah Bortner, enters this Temporary Order to
14 Cease and Desist pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), based on the
15 following findings:

16 **I. FACTUAL FINDINGS**

17 **1.1 Respondent Charles Michael Czech d/b/a Czech Mortgage and www.checkthedifference.com**
18 **(Czech)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to
19 conduct business as a mortgage broker on May 16, 2007, and continues to be licensed to date. Respondent
20 Czech was named Designated Broker on May 16, 2007, and has continued as Designated Broker to date.
21 Respondent Czech is licensed to conduct the business of a mortgage broker at the following location:

8434 SE 39th St.
Mercer Island, WA 98040

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23 **1.2 Surety Bond Cancellation.** On August 4, 2009, the Department received notice from the Hartford Fire
24 Insurance Company that Respondent Czech's surety bond would be cancelled, effective September 9, 2009. On
25 September 9, 2009, Respondent Czech's surety bond was cancelled. To date, Respondent has failed to provide
the required surety bond.

1 **II. GROUNDS FOR ENTRY OF ORDER**

2 **2.1 Requirement to Maintain Surety Bond.** Based on the Factual Allegations set forth in Section I
3 above, Respondent is in apparent violation of RCW 19.146.205(4)(a) and WAC 208-660-175(1) for failing to
4 file and maintain a surety bond with the Department.

5 **III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST**

6 **3.1 Authority to Issue Temporary Order to Cease and Desist.** Pursuant to RCW 19.146.227, the
7 Director is authorized to issue a temporary order to cease and desist whenever the Director determines that the
8 public is likely to be substantially injured by delay in issuing a cease and desist order. Based on the Factual
9 Findings and Grounds for Entry of Order set forth above, Respondent Czech does not maintain the required
10 surety bond, and the public is likely to be substantially injured by the lack of said surety bond coverage.

11 **IV. ORDER**

12 Based on the above Factual Findings, Grounds for Entry of Order, and Authority to Issue Temporary
13 Order to Cease and Desist, and pursuant to RCW 19.146.227, the Director determines that the public is likely to
14 be substantially harmed by a delay in entering a cease and desist order. Therefore, the Director ORDERS that:

15 **4.1** Respondent shall immediately cease and desist from participating in the conduct of the affairs of any
16 mortgage broker subject to licensure by the Director, in any manner, specifically including, but not limited to
17 originating any residential mortgage loan, assisting with the origination of any residential mortgage loan, and
18 holding out as able to assist any person with applying for or obtaining any residential mortgage loan.

19 **4.2** This order shall take effect immediately and shall remain in effect unless set aside, limited, or
20 suspended in writing by an authorized court.

21 **NOTICE**

22 PURSUANT TO CHAPTER 19.146 RCW, YOU ARE ENTITLED TO A HEARING WITHIN 14 DAYS
23 OF REQUEST TO DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU
24 DESIRE A HEARING, THEN YOU MUST RETURN THE ATTACHED APPLICATION FOR
25 ADJUDICATIVE HEARING INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO
COMPLETE AND RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO THAT IT IS

1 RECEIVED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS OF
2 THE DATE THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND WILL
3 RESULT IN THE LOSS OF YOUR RIGHT TO A HEARING. SERVICE ON YOU IS DEFINED AS POSTING
4 IN THE U.S. MAIL, POSTAGE PREPAID, TO YOUR LAST KNOWN ADDRESS. BE ADVISED THAT
5 DEFAULT WILL RESULT IN THIS ORDER TO CEASE AND DESIST BECOMING PERMANENT ON THE
6 TWENTY-FIRST (21ST) DAY FOLLOWING SERVICE OF THIS ORDER UPON YOU.

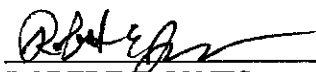
7 WITHIN TEN DAYS AFTER YOU HAVE BEEN SERVED WITH THIS TEMPORARY ORDER
8 TO CEASE AND DESIST, YOU MAY APPLY TO THE SUPERIOR COURT IN THE COUNTY OF
9 YOUR PRINCIPAL PLACE OF BUSINESS FOR AN INJUNCTION SETTING ASIDE, LIMITING, OR
10 SUSPENDING THIS ORDER PENDING THE COMPLETION OF THE ADMINISTRATIVE
11 PROCEEDINGS PURSUANT TO THIS NOTICE.

12 DATED this 23rd day of September, 2009.

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15 DEBORAH BORTNER
16 Director
17 Division of Consumer Services
18 Department of Financial Institutions


19 Presented by:

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21 ROBERT E. JONES
22 Financial Legal Examiner



23 Approved by:

24 
25 JAMES R. BRUSSELBACK
Enforcement Chief