



STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

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

NO. C-09-351-09-FO01

AUDROC, INC. d/b/a PRO MORTGAGE GROUP;  
AUDREY PAULINE D'ORAZIO; President, Owner,  
and Designated Broker; ROCCO MICHAEL  
D'ORAZIO, Vice-President and Owner,

FINAL ORDER

Respondents.

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), through his designee, Consumer Services Division Director Deborah Bortner, pursuant to RCW 34.05.440(1). On September 23, 2009, the Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Revoke License, Impose Fine, and Collect Investigation Fee (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 September 24, 2009, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondent Audroc, Inc. dba Pro Mortgage Group, Respondent Audrey Pauline D'Orazio, and Respondent Rocco Michael D'Orazio. The Department served the Statement of Charges, cover letter dated September 24, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for

1 Adjudicative Hearing for Respondent Audroc, Inc., Respondent Audrey Pauline D'Orazio, and  
2 Respondent Rocco Michael D'Orazio on Respondents on September 24, 2009 by First-Class mail and  
3 Federal Express overnight delivery. On September 25, 2009, the documents sent via Federal Express  
4 overnight delivery were delivered. The documents sent via First-Class mail were not returned to the  
5 Department by the United States Post Office.

6 Respondent Audroc, Inc. dba Pro Mortgage Group, Respondent Audrey Pauline D'Orazio, and  
7 Respondent Rocco Michael D'Orazio did not request an adjudicative hearing within twenty calendar  
8 days after the Department served them with the Notice of Opportunity to Defend and Opportunity for  
9 Hearing, as provided for in WAC 208-08-050(2).

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11 B. Record Presented. The record presented to the Director's designee for her review and  
12 for entry of a final decision included the following:

- 13 1. Statement of Charges;
- 14 2. Cover letter dated September 24, 2009;
- 15 3. Notice of Opportunity to Defend and Opportunity for Hearing;
- 16 4. Blank Applications for Adjudicative Hearing for Respondent Audroc, Inc. dba Pro  
Mortgage Group, Respondent Audrey Pauline D'Orazio, and Respondent Rocco  
Michael D'Orazio, with documentation of service; and
- 17 5. Signed Applications for Adjudicative Hearing for Respondent Audroc, Inc. dba Pro  
Mortgage Group, Respondent Audrey Pauline D'Orazio, and Respondent Rocco  
18 Michael D'Orazio dated November 19, 2009, and received via e-mail November 19,  
2009.

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

## 21 II. FINAL ORDER

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

24 A. IT IS HEREBY ORDERED, That:

- 1                    1. Respondent Audroc, Inc. dba Pro Mortgage Group, Respondent Audrey Pauline  
2                    D'Orazio, and Respondent Rocco Michael D'Orazio cease and desist from conducting  
3                    the business of a mortgage broker;
- 4                    2. Respondent Audroc, Inc. dba Pro Mortgage Group's license to conduct the business of  
5                    a Mortgage Broker is revoked;
- 6                    3. Respondent Audroc, Inc. dba Pro Mortgage Group, Respondent Audrey Pauline  
7                    D'Orazio, and Respondent Rocco Michael D'Orazio jointly and severally pay a fine  
8                    of \$3,000;
- 9                    4. Respondent Audroc, Inc. dba Pro Mortgage Group, Respondent Audrey Pauline  
10                    D'Orazio, and Respondent Rocco Michael D'Orazio jointly and severally pay an  
11                    investigation fee of \$144.

12                    B.     Reconsideration.     Pursuant to RCW 34.05.470, Respondents have the right to file a  
13                    Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
14                    must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150  
15                    Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
16                    Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The  
17                    Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
18                    Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

1 D. Judicial Review. Respondents have the right to petition the superior court for  
2 judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements  
3 for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

4 E. Non-compliance with Order. If you do not comply with the terms of this order, the  
5 Department may seek its enforcement by the Office of Attorney General to include the collection of the  
6 fines, fees and restitution imposed herein.

7 F. Service. For purposes of filing a Petition for Reconsideration or a Petition for  
8 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
9 attached hereto.

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11 DATED this 24<sup>th</sup> day of November, 2009.



12 STATE OF WASHINGTON  
13 DEPARTMENT OF FINANCIAL INSTITUTIONS

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15 DEBORAH BORTNER  
16 DIRECTOR  
17 DIVISION OF CONSUMER SERVICES

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**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-09-351-09-SC01

AUDROC, INC. d/b/a PRO MORTGAGE  
GROUP; AUDREY PAULINE D'ORAZIO;  
President, Owner, and Designated Broker;  
ROCCO MICHAEL D'ORAZIO, Vice-  
President and Owner,

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

Respondents.

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**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)<sup>1</sup>. 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:

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**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

A. **Audroc, Inc. (Audroc)** was licensed by the Department of Financial Institutions of the State of Washington (Department) to conduct business as a mortgage broker on or about October 23, 2003, and continues to be licensed to date. Respondent Audroc is licensed to conduct the business of a mortgage broker at the following location:

8921 W. Hackamore  
Boise, Idaho 83709

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<sup>1</sup> RCW 19.146 (2006)

1 B. **Audrey Pauline D'Orazio (P. D'Orazio)** is President, Owner, and Designated Broker of  
2 Respondent Audroc. Respondent A. D'Orazio was named Designated Broker of Respondent Audroc on or  
3 about October 23, 2003, and continues as Designated Broker to date.

4 C. **Rocco Michael D'Orazio (R. D'Orazio)** is Vice-President and Owner of Respondent Audroc.

5 **1.2 Failure to Maintain Bond.** On July 7, 2009, the Department received notice from American  
6 Contractors Indemnity Company that Respondent Audroc's surety bond would be cancelled. Respondent  
7 Audroc's surety bond cancelled. To date, Respondents have failed to provide the required surety bond.

8 **1.3 On-Going Investigation.** The Department's investigation into the alleged violations of the Act by  
9 Respondents continues to date.

## 10 II. GROUNDS FOR ENTRY OF ORDER

11 **2.1 Requirement to Maintain Surety Bond.** Based on the Factual Allegations set forth in Section I  
12 above, Respondents are in apparent violation of RCW 19.146.205(4)(a) and WAC 208-660-175(1) for failing to  
13 file and maintain a surety bond with the Department.

## 14 III. AUTHORITY TO IMPOSE SANCTIONS

15 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the Director may  
16 issue orders directing a licensee, its employee or loan originator, or other person subject to the Act to cease and  
17 desist from conducting business.

18 **3.2 Authority to Revoke License.** Pursuant to RCW 19.146.220(2)(c) the Director may revoke a license  
19 failure to pay a fee required by the Director or maintain the required bond, or any violation of the Act.

20 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(2) and (3) and WAC 208-660-530(6), the  
21 Director may impose fines on a licensee, employee or loan originator of the licensee, or other person subject to  
22 the Act for any violations of RCW 19.146.200, or any violation of the Act.

23 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2), WAC 208-660-520(9) and  
24 WAC 208-660-550(4) upon completion of any investigation of the books and records of a licensee or other person  
25 subject to the Act, the Department will furnish to the licensee or other person subject to the Act a billing to cover

1 the cost of the investigation. The investigation charge will be calculated at the rate of forty-eight dollars (\$48) per  
2 hour that each staff person devoted to the investigation.

3 **IV. NOTICE OF INTENTION TO ENTER ORDER**

4 Respondents' violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth  
5 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis  
6 for the entry of an Order under RCW 19.146.220, RCW 19.146.221 and RCW 19.146.223. Therefore, it is the  
7 Director's intention to ORDER that:

- 8 **4.1** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio cease and desist from  
9 conducting the business of a mortgage broker;
- 10 **4.2** Respondent Audroc, Inc.'s license to conduct the business of a mortgage broker be revoked;
- 11 **4.3** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio jointly and severally  
12 pay a fine which as of the date of this Statement of Charges totals \$3,000; and
- 13 **4.4** Respondents Audroc, Inc., Audrey Pauline D'Orazio, and Rocco Michael D'Orazio jointly and severally  
14 pay an investigation fee which as of the date of this Statement of Charges totals \$144 calculated at \$48 per  
15 hour for the three (3) staff hours devoted to the investigation.

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1 **V. AUTHORITY AND PROCEDURE**

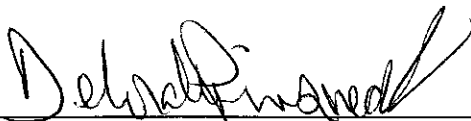
2 This Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Revoke  
3 License, Impose Fine, and Collect Investigation Fee (Statement of Charges) is entered pursuant to the  
4 provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject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

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9 Dated this 23<sup>rd</sup> day of September, 2009.

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11 DEBORAH BORTNER  
12 Director  
13 Division of Consumer Services  
14 Department of Financial Institutions

15 Presented by:

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17 DEBORAH PINSONNEAULT  
18 Financial Legal Examiner



19 Approved by:

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21 JAMES R. BRUSSELBACK  
22 Enforcement Chief