



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

4 B. Record Presented. The record presented to the Director's designee for her review and  
5 for entry of a final decision included the Statement of Charges, cover letter dated October 23, 2007,  
6 Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative  
7 Hearing, with documentation of service.

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

## 11 II. FINAL ORDER

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

14 A. IT IS HEREBY ORDERED, That:

15 1. Respondent Lowell Curtis Hansen's application for a loan originator license is  
16 denied.

17 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
18 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
19 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150  
20 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
21 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
22 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
23 Reconsideration a prerequisite for seeking judicial review in this matter.  
24

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

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

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

10 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for  
11 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
12 attached hereto.  
13

14 DATED this 5<sup>th</sup> day of December, 2007.

15 STATE OF WASHINGTON  
16 DEPARTMENT OF FINANCIAL INSTITUTIONS

17 

18 DEBORAH BORTNER  
19 DIRECTOR  
20 DIVISION OF CONSUMER SERVICES



1  
2  
3  
4  
5  
6  
7  
8  
9

**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:

LOWELL CURTIS HANSEN,  
  
Respondent.

NO. C-07-370-07-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER  
AN ORDER TO DENY LICENSE APPLICATION

10  
11  
12  
13  
14  
15  
16

**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 19.146.310, 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:

17  
18  
19  
20  
21  
22  
23  
24  
25

**I. FACTUAL ALLEGATIONS**

**1.1 Respondent Lowell Curtis Hansen (Respondent Hansen)** submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Financial Services Northwest Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about February 2, 2007.

**A. Failed Chapter 13 Bankruptcy.** On July 7, 2005, the Respondent, as an individual, filed for Chapter 13 bankruptcy in the United States Bankruptcy Court for the Western District of Washington at Tacoma (Cause No. 05-46210).

<sup>1</sup> RCW 19.146 (Amended 2006; Effective January 1, 2007)

1 On September 7, 2006, an Order Confirming Chapter 13 Plan was entered with the Court. As part of  
2 the Chapter 13 plan, the Respondent agreed to make monthly payments to the bankruptcy trustee in the amount  
3 of \$3,065. The payments were to be made by the Respondent for a minimum of 36 months. The trustee was to  
4 distribute the monthly payments to designated creditors outlined in the payment plan.

5 The Respondent failed to make all of the monthly payments as required by the payment plan. As a  
6 result of Respondent's failure to abide by the payment plan, the trustee filed a motion on June 1, 2007, to  
7 dismiss the Chapter 13. At the time the trustee filed the motion to dismiss, the Respondent was delinquent in  
8 plan payments in the amount of \$14,154.10.

9 On July 6, 2007, an order dismissing the Chapter 13 was entered by the bankruptcy court.  
10

## 11 **II. GROUNDS FOR ENTRY OF ORDER**

12 **2.1 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set  
13 forth in Section I above, Respondent Hansen fails to meet the requirements of RCW 19.146.310(1)(g) and  
14 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the  
15 confidence of the community and to warrant a belief that the business will be operated honestly and fairly  
16 within the purposes of the Act.

## 17 **III. AUTHORITY TO IMPOSE SANCTIONS**

18 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the  
19 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the  
20 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by  
21 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application  
22 of the denial.

## 23 **IV. NOTICE OF INTENTION TO ENTER ORDER**

24 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth  
25 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis

1 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.

2 Therefore, it is the Director's intention to ORDER that:

3 4.1 Respondent Lowell Curtis Hansen's application for a loan originator license be denied.

4  
5 **V. AUTHORITY AND PROCEDURE**

6 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application  
7 (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW  
8 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative  
9 Procedure Act). Respondent may make a written request for a hearing as set forth in the NOTICE OF  
10 OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of  
11 Charges.

12 Dated this 22nd day of October, 2007.

13  
14 

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

19 Presented by:

17  
18 

19 WILLIAM J. HALSTEAD  
20 Financial Legal Examiner

21 Approved by:

22  
23 

24 FATIMA BATIE  
25 Financial Legal Examiner Supervisor

