

TERMS COMPLETE

FINAL ORDER SUMMARY – Case Number: C-07-515

Name(s) Osadebe Anene a/k/a Paul Anene

Order Number C-07-515-08-FO01

Effective Date April 5, 2008

License Number DFI: 44829

License Effect Application Denied and Respondent Prohibited from Industry

Not Apply until July 2, 2014

Prohibition/Ban until July 2, 2014

Investigation Costs	\$	Due	Paid		Date
			Y	N	

Assessment(s)	\$	Due	Paid		Date
			Y	N	

Monetary Penalty	\$	Due	Paid		Date
			Y	N	

Other

Special Instructions

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**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:

OSADEBE ANENE aka
PAUL ANENE,
Respondent.

NO. C-07-515-08-FO01

FINAL ORDER

I. DIRECTOR'S CONSIDERATION

A. Default. 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 December 17, 2007, the
Director, through Consumer Services Division Director Deborah Bortner, entered a Statement of
Charges and Notice of Intention to Enter an Order to Deny License Application and Prohibit from
Industry (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
December 18, 2007, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank
Application for Adjudicative Hearing. The Department served the Statement of Charges, cover letter
dated December 18, 2007, Notice of Opportunity to Defend and Opportunity for Hearing, and blank
Application for Adjudicative Hearing on Respondent on January 15, 2008 by first class mail. The
documents sent via first class mail were not returned to the Department by the United States Postal
Service.

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 December 18, 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.
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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 Osadebe Anene's application for a loan originator license is denied; and
- 16 2. Respondent Osadebe Anene is banned from participation in the conduct of the affairs
17 of any mortgage broker subject to licensure by the Director, in any manner, through
18 July 2, 2014.

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

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

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

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

12 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
13 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
14 attached hereto.
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16 DATED this 5th day of April, 2008.



17 STATE OF WASHINGTON
18 DEPARTMENT OF FINANCIAL INSTITUTIONS
19 [Redacted Signature]
20 DEBORAH BORTNER
21 DIRECTOR
22 DIVISION OF CONSUMER SERVICES
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**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-07-515-07-SC01

OSADEBE ANENE aka
PAUL ANENE,

Respondent.

STATEMENT OF CHARGES and
NOTICE OF INTENTION TO ENTER
AN ORDER TO DENY LICENSE APPLICATION
AND PROHIBIT FROM INDUSTRY

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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)¹. 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:

I. FACTUAL ALLEGATIONS

1.1 Respondent Osadebe Anene (Respondent Anene) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Eagle West Financial, a mortgage broker licensed under the Act. The on-line application was received by the Department on or about July 2, 2007.

1.2 Prior Criminal Acts. On or about November 29, 2006, Respondent Anene was charged with one count of [REDACTED] a felony, pursuant to 9A.44.083 in the Superior Court of the State of Washington for the County of Clark case number 06-1-02202-5. On or about August 29, 2007, an Amended Information was entered charging: count 1) [REDACTED] pursuant to 9A.44.073, count 2) [REDACTED], and count [REDACTED]

¹ RCW 19.146 (Amended 2006; Effective January 1, 2007)

1 On or about September 26, 2007, Respondent Anene was found guilty of one count of [REDACTED]

2 [REDACTED] and two counts of [REDACTED]

3 **1.3 Responses to Application Questions.** The “Criminal Disclosure” section of the loan originator license
4 application consists of eight questions, and includes the following instruction:

5 “If the answer to any of the following is “YES”, provide complete details of all events or proceedings”

6 Respondent Anene answered “yes” to the following question on the “Criminal Disclosure” section of his loan
7 originator license application:

- 8 • 1-Have you ever been charged with any felony?

9 Respondent Anene’s explanation stated “divorce/child custody allegations – open/pending adjudication.”

10 Respondent Anene was obligated by statute to answer questions on the loan originator license application
11 truthfully and to provide the Department with complete details of all events or proceedings.

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

13 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,
14 Respondent Anene fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by
15 having been convicted of a gross misdemeanor involving dishonesty or financial misconduct or a felony within
16 seven years of the filing of the present application.

17 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
18 Anene is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making
19 any false statement or willfully making any omission of material fact in connection with any application or any
20 information filed by a licensee in connection with any application, examination or investigation conducted by
21 the Department.

22 **2.3 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
23 forth in Section I above, Respondent Anene fails to meet the requirements of RCW 19.146.310(1)(g) and WAC
24 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the confidence of
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1 the community and to warrant a belief that the business will be operated honestly and fairly within the purposes
2 of the Act.

3 III. AUTHORITY TO IMPOSE SANCTIONS

4 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW 19.146.220(1), the
5 Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2) and WAC 208-660-350(7), the
6 Director shall not issue a loan originator license if the conditions of RCW 19.146.310(1) have not been met by
7 the applicant, and shall notify the loan originator applicant and any mortgage brokers listed on the application
8 of the denial.

9 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5)(a), the Director may issue
10 orders removing from office or prohibiting from participation in the conduct of the affairs of a licensed
11 mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed mortgage broker
12 or any person subject to licensing under the Act for any violation of RCW 19.146.0201(1) through (9).

13 IV. NOTICE OF INTENTION TO ENTER ORDER

14 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
15 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
16 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.

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

18 **4.1** Respondent Osadebe Anene's application for a loan originator license be denied.

19 **4.2** Respondent Osadebe Anene be prohibited from participation in the conduct of the affairs of any
20 mortgage broker subject to licensure by the Director, in any manner, through July 2, 2014.

21 V. AUTHORITY AND PROCEDURE

22 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and
23 Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,
24 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05
25 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in

1 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
2 Statement of Charges.

3 Dated this 17th day of December, 2007.

4 [Redacted Signature]
5
6 DEBORAH BORTNER
7 Director
8 Division of Consumer Services
9 Department of Financial Institutions

8 Presented by:
9 [Redacted Signature]
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11 DEBORAH PINSONNEAULT
12 Financial Legal Examiner

12 Approved by:
13 [Redacted Signature]
14
15 FATIMA BATIE
16 Financial Legal Examiner Supervisor



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