



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-09-447-10-FO02

STERLING COAST TO COAST FINANCIAL
GROUP, INC. and JAMES NEYLAN, Owner,
President, and Designated Broker,
Respondents.

FINAL ORDER TO CEASE AND DESIST

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) pursuant to RCW 34.05.464. On November 23, 2009, the Director, through Consumer Services Division Director Deborah Bortner, entered a Temporary Order to Cease and Desist. A copy of the Temporary Order to Cease and Desist is attached and incorporated into this order by this reference. The Temporary Order to Cease and Desist was accompanied by a cover letter dated November 23, 2009, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondent Sterling Coast To Coast Financial Group, Inc. and Respondent James Neylan. The Department served the Temporary Order to Cease and Desist, cover letter dated November 23, 2009, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondent Sterling Coast To Coast Financial Group, Inc. and Respondent James Neylan on Respondents on November 23, 2009, by First-Class mail and Federal Express overnight delivery.

1 On December 11, 2009, Respondents each filed an Application for Adjudicative Hearing. On
2 December 14, 2009, the Department made a request to the Office of Administrative Hearings (OAH)
3 to assign an Administrative Law Judge (ALJ) to schedule and conduct a hearing. On December 15,
4 2009, ALJ Todd Gay (ALG Gay) issued a Notice of Hearing by Telephone scheduling an
5 administrative hearing on Tuesday, December 22, 2009, at 9:00 a.m.

6 On or about December 17, 2009, James Neylan, individually and on behalf of the company,
7 orally agreed not to contest the Temporary Order to Cease and Desist and waived any corresponding
8 requirement to have an expedited hearing within fourteen days.

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10 B. Record Presented. The record presented to the Director for his review and for entry of
11 a final decision included the following:

- 12 1. Temporary Order to Cease and Desist, cover letter dated November 23, 2009, and
13 Notice of Opportunity to Defend and Opportunity for Hearing, with documentation of
14 service;
- 15 2. Applications for Adjudicative Hearing for Respondent Sterling Coast To Coast
16 Financial Group, Inc. and Respondent James Neylan;
- 17 3. Notice of Hearing by Telephone dated December 15, 2009, with documentation of
18 service; and
- 19 4. E-mail from Assistant Attorney General Charles Clarke to ALG Gay, with copy to
20 Respondent James Neylan, confirming Respondent Neylan's agreement not to contest
21 the Temporary Order to Cease and Desist and waiver of expedited hearing within
22 fourteen days.

23 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.461, the Director
24 hereby adopts the Temporary Order to Cease and Desist, which is attached hereto.

25 II. FINAL ORDER

Based upon the foregoing, and the Director having considered the record and being
otherwise fully advised, NOW, THEREFORE:

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A. IT IS HEREBY ORDERED, That:

Respondents Sterling Coast to Coast Financial Group, Inc. and James Neylan shall permanently cease and desist from participating in the conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, specifically including, but not limited to originating any residential mortgage loan, assisting with the origination of any residential mortgage loan, and holding out as able to assist any person with applying for or obtaining any residential mortgage loan.

B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a

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

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

C. Stay of Order. The Director has determined not to consider a Petition to Stay the

effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

D. Judicial Review. Respondents have the right to petition the superior court for

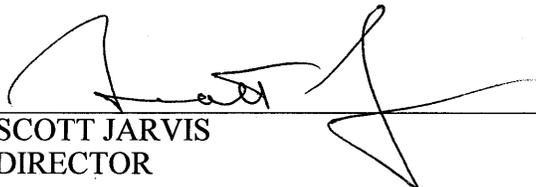
judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

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

4 DATED this 17th day of March 2010.



6 STATE OF WASHINGTON
7 DEPARTMENT OF FINANCIAL INSTITUTIONS

8 
9 SCOTT JARVIS
10 DIRECTOR

1 bond cancelled effective November 1, 2009. To date, Respondents have failed to provide the Department with
2 the required surety bond.

3 II. GROUNDS FOR ENTRY OF ORDER

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

7 III. AUTHORITY TO ISSUE TEMPORARY ORDER TO CEASE AND DESIST

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

14 IV. ORDER

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

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

22 **4.2** This order shall take effect immediately and shall remain in effect unless set aside, limited, or
23 suspended in writing by an authorized court.

24 NOTICE

25 PURSUANT TO CHAPTER 19.146 RCW, YOU ARE ENTITLED TO A HEARING WITHIN 14 DAYS
OF REQUEST TO DETERMINE WHETHER THIS ORDER SHALL BECOME PERMANENT. IF YOU

1 DESIRE A HEARING, THEN YOU MUST RETURN THE ATTACHED APPLICATION FOR
2 ADJUDICATIVE HEARING INCORPORATED HEREIN BY THIS REFERENCE. FAILURE TO
3 COMPLETE AND RETURN THE APPLICATION FOR ADJUDICATIVE HEARING FORM SO THAT IT IS
4 RECEIVED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS WITHIN TWENTY (20) DAYS OF
5 THE DATE THAT THIS ORDER WAS SERVED ON YOU WILL CONSTITUTE A DEFAULT AND WILL
6 RESULT IN THE LOSS OF YOUR RIGHT TO A HEARING. SERVICE ON YOU IS DEFINED AS POSTING
7 IN THE U.S. MAIL, POSTAGE PREPAID, TO YOUR LAST KNOWN ADDRESS. BE ADVISED THAT
8 DEFAULT WILL RESULT IN THIS ORDER TO CEASE AND DESIST BECOMING PERMANENT ON THE
9 TWENTY-FIRST (21ST) DAY FOLLOWING SERVICE OF THIS ORDER UPON YOU.

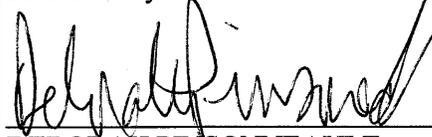
10 WITHIN TEN DAYS AFTER YOU HAVE BEEN SERVED WITH THIS TEMPORARY ORDER
11 TO CEASE AND DESIST, YOU MAY APPLY TO THE SUPERIOR COURT IN THE COUNTY OF
12 YOUR PRINCIPAL PLACE OF BUSINESS FOR AN INJUNCTION SETTING ASIDE, LIMITING, OR
13 SUSPENDING THIS ORDER PENDING THE COMPLETION OF THE ADMINISTRATIVE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

15 DATED this 23rd day of November, 2009.

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18 DEBORAH BORTNER
19 Director
20 Division of Consumer Services
21 Department of Financial Institutions

22 Presented by:

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24 DEBORAH PINSONNEAULT
25 Financial Legal Examiner

Approved by:

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JAMES R. BRUSSELBACK
Enforcement Chief

