

**ORDER SUMMARY – Case Number: C-09-484**

**Name(s):** Second Opportunity Support Center,  
Trina Brown

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**Order Number:** C-09-484-13-FO01

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**Effective Date:** February 7, 2013

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**License Number:** N/A  
**Or NMLS Identifier [U/L]** N/A

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**License Effect:**

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**Not Apply Until:** N/A

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**Not Eligible Until:**

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**Prohibition/Ban Until:** February 7, 2018

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<b>Investigation Costs</b>	\$974.40	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Fine</b>	\$8,250	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$1,800	Due	Paid <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Date
<b>Judgment</b>	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Satisfaction of Judgment Filed?</b>	<input type="checkbox"/> Y <input type="checkbox"/> N			
No. of Victims:	2			

**Comments:**

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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-09-484-13-FO01

SECOND OPPORTUNITY SUPPORT CENTER,  
INC., and  
TRINA D. BROWN, President

FINAL ORDER

Respondents.

**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 (Director's designee), pursuant to RCW 34.05.440(1). On July 12, 2011, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to Cease and Desist, Prohibit from Industry, Impose Fine, Order Restitution, and Collect Investigation Fee (Statement of Charges) against Second Opportunity Support Center, Inc. and Trina D. Brown (Respondents). 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 July 14, 2011, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Respondents (collectively, accompanying documents).

On October 12, 2011, the Department served Respondents with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On October 13, 2011, the documents sent by Federal Express overnight delivery were delivered. The documents sent by First-Class mail were not returned to the Department by the United States Postal Service.

1 Respondents did not request an adjudicative hearing within twenty calendar days after the  
2 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for  
3 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 following: Statement of Charges, cover letter dated July 14,  
6 2011, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for  
7 Adjudicative Hearing for Respondents, with documentation for 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.

10 II. FINAL ORDER

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

13 A. IT IS HEREBY ORDERED, That:

- 14 1. Respondents Second Opportunity Support Center, Inc. and Trina D. Brown cease  
15 and desist engaging in the business of a mortgage broker.
- 16 2. Respondent Second Opportunity Support Center, Inc. is prohibited from  
17 participation in the conduct of the affairs of any mortgage broker subject to  
18 licensure by the Director, in any manner, for a period of five years.
- 19 3. Respondent Trina D. Brown is prohibited from participation in the conduct of the  
20 affairs of any mortgage broker subject to licensure by the Director, in any manner,  
21 for a period of five years.
- 22 4. Respondents Second Opportunity Support Center, Inc. and Trina D. Brown jointly  
23 and severally pay a fine of \$8,250.
- 24 5. Respondents Second Opportunity Support Center, Inc. and Trina D. Brown jointly  
and severally pay restitution totaling \$1,800 to the two borrowers identified in  
paragraphs 1.2 and 1.3 of the Statement of Charges.
6. Respondents Second Opportunity Support Center, Inc. and Trina D. Brown jointly  
and severally pay an investigation fee of \$974.40.

1           B.     Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a  
2 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
3 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
4 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
5 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The  
6 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
7 Reconsideration a prerequisite for seeking judicial review in this matter.

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

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

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

17           E.     Non-compliance with Order. If you do not comply with the terms of this order,  
18 including payment of any amounts owed within 30 days of receipt of this order, the Department may  
19 seek its enforcement by the Office of the Attorney General to include the collection of the fines, fees,  
20 and restitution imposed herein. The Department also may assign the amounts owed to a collection  
21 agency for collection.

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

4 DATED this 7<sup>th</sup> day of February, 2013



6 STATE OF WASHINGTON  
7 DEPARTMENT OF FINANCIAL INSTITUTIONS



8  
9 DEBORAH BORTNER  
10 Director  
11 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:  
  
SECOND OPPORTUNITY SUPPORT CENTER,  
and TRINA D. BROWN, President  
  
Respondents.

No. C-09-484-11-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENTION TO ENTER AN  
ORDER TO CEASE AND DESIST,  
PROHIBIT FROM INDUSTRY, IMPOSE  
FINE, ORDER RESTITUTION, AND  
COLLECT INVESTIGATION FEE

**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)<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:

**I. FACTUAL ALLEGATIONS**

**1.1 Respondents.**

A. **Second Opportunity Support Center, Inc. (Second Opportunity Support Center)** is a Washington corporation. Second Opportunity Support Center has never been licensed by the Department of Financial Institutions (Department). Second Opportunity Support Center maintains a website at [www.soscenters.org](http://www.soscenters.org). Second Opportunity Support Center's principal offices were listed as being at:

8809 C 2<sup>nd</sup> Avenue South  
Seattle Washington 98108

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<sup>1</sup> RCW 19.146  
STATEMENT OF CHARGES  
C-09-484-11-SC01  
Second Opportunity Support Center, Inc. and Trina D. Brown

1           **B. Trina D. Brown (Brown)** is the President of Second Opportunity Support Center.

2 Respondent Brown has been licensed as a loan originator at various times between about May 30,  
3 2007, and December 31, 2010.

4 **1.2 Complaint 33453.** On or about March 5, 2009, Borrower [REDACTED] entered into an agreement with  
5 Respondent Second Opportunity Support Center. Respondent Second Opportunity Support Center  
6 agreed to provide loan modification services. Borrower [REDACTED] paid Respondent Second Opportunity  
7 Support Center \$900 as an initial deposit. On or about December 3, 2009, Borrower [REDACTED] filed a  
8 complaint alleging that after she paid Respondent Second Opportunity Support Center and  
9 Respondent Brown for loan modification services they stopped accepting her calls and did not work  
10 on her modification.

11 **1.3 Complaint 31145.** On or about March 7, 2009, Borrower [REDACTED] paid at least \$900 to  
12 Respondent Second Opportunity Support Center for work on a modification of her residential  
13 mortgage loan. On or about May 9, 2009, Borrower [REDACTED] filed a complaint alleging that Respondent  
14 Second Opportunity Support Center and Respondent Brown stopped accepting her calls and that she  
15 pursued and obtained a modification through her own efforts, while Respondent Brown and  
16 Respondent Second Opportunity Support Center's efforts resulted in poor results.

17 **1.4 Unlicensed Activity.** Between at least March and May 2009, Respondent Second  
18 Opportunity Support Center assisted at least two borrowers in applying to obtain a loan modification  
19 on property located in the State of Washington. The borrowers involved paid fees of at least \$1,800.  
20 Additionally, since at least March of 2009 Respondent Second Opportunity Support Center has held  
21 out to the public as able to provide loan modification services through the website referenced in  
22 paragraph 1.1.

1 **1.5 Failure to Respond Timely and Completely to Directives.** On or about April 26, 2009, the  
2 Department sent a Directive and Requirement for Production of Records and Explanation to  
3 Respondents Second Opportunity Support Center and Brown by First-Class mail. This Directive was  
4 not returned as undeliverable by the United States Postal Service. The Directive required  
5 Respondents to respond by May 12, 2009. Respondents did not respond to this Directive. On or  
6 about May 20, 2009, the Department issued a Subpoena Compelling Production of Records and  
7 Explanation to Respondents. Respondents partially responded to this subpoena on or about May 27,  
8 2009. On or about August 11, 2009, the Department sent another Directive and Requirement for  
9 Production of Records and Explanation to Respondents Second Opportunity Support Center and  
10 Brown by First-Class mail. This Directive was not returned as undeliverable by the United States  
11 Postal Service. Respondents did not respond to this Directive. On or about October 20, 2009, the  
12 Department issued a Subpoena Compelling Production of Records and Explanation to Respondents  
13 Second Opportunity Support Center and Brown by First-Class mail. This subpoena was not returned  
14 as undeliverable by the United States Postal Service. Respondents never responded to this subpoena.

15 **1.6 On-Going Investigation.** The Department's investigation into the alleged violations of the  
16 Act by Respondents continues to date.

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

18 **2.1 Definition of Mortgage Broker.** Pursuant to RCW 19.146.010(12) and WAC 208-660-  
19 010(29), "Mortgage Broker" means any person who, for compensation or gain, or in the expectation  
20 of compensation or gain (a) assists a person in obtaining or applying to obtain a residential mortgage  
21 loan or (b) holds himself or herself out as being able to assist a person in obtaining or applying to  
22 obtain a residential mortgage loan.

1 **2.2 Definition of Loan Originator.** Pursuant to RCW 19.146.010(10), “Loan Originator” means  
2 a natural person who (a) takes a residential mortgage loan application for a mortgage broker, or (b)  
3 offers or negotiates terms of a mortgage loan, for direct or indirect compensation or gain, or in the  
4 expectation of direct or indirect compensation or gain. “Loan originator” also includes a person who  
5 holds themselves out to the public as able to perform any of these activities. “Loan originator” does  
6 not mean persons performing purely administrative or clerical tasks for a mortgage broker. For the  
7 purposes of this subsection, “administrative or clerical tasks” means the receipt, collection, and  
8 distribution of information common to the processing of a loan in the mortgage industry and  
9 communication with a borrower to obtain information necessary for the processing of a loan. A  
10 person who holds himself or herself out to the public as able to obtain a loan is not performing  
11 administrative or clerical tasks.

12 **2.3 Definition of Borrower.** Pursuant to RCW 19.146.010(3), a “Borrower” is defined as any  
13 person who consults with or retains a mortgage broker or loan originator in an effort to obtain or seek  
14 advice or information on obtaining or applying to obtain a residential mortgage loan for himself,  
15 herself, or persons including himself or herself, regardless of whether the person actually obtains  
16 such a loan.

17 **2.4 Requirement to Obtain and Maintain Mortgage Broker License.** Based on Factual  
18 Allegations set forth in Section I above, Respondents are in apparent violation of RCW 19.146.200  
19 for engaging in the business of a mortgage broker without first obtaining and maintaining a license  
20 under the Act.

21 **2.5 Requirement to Comply with Investigation Authority.** Based on Factual Allegations set  
22 forth in Section I above, Respondents are in apparent violation of RCW 19.146.235 for failing to  
23 comply with the Department’s investigation authority.

1 **III. AUTHORITY TO IMPOSE SANCTIONS**

2 **3.1 Authority to Issue an Order to Cease and Desist.** Pursuant to RCW 19.146.220(4), the  
3 Director may issue orders directing a licensee, its employee, loan originator, independent contractor,  
4 agent or other person subject to the Act to cease and desist from conducting business.

5 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 19.146.220(5), the Director may  
6 issue orders removing from office or prohibiting from participation in the conduct of the affairs of  
7 licensed mortgage broker, or both, any officer, principal, employee, or loan originator of any licensed  
8 mortgage broker or any person subject to licensing under the Act for any violation of RCW  
9 19.146.200 or failure to comply with a directive or order of the Director.

10 **3.3 Authority to Impose Fine.** Pursuant to RCW 19.146.220(3)(a) and (b) and WAC 208-660-  
11 530(6), the Director may impose fines on an employee, loan originator, independent contractor, or  
12 agent of the licensee, or other person subject to this chapter for any violations of RCW 19.146.200 or  
13 failure to comply with a directive or order of the Director.

14 **3.4 Authority to Order Restitution.** Pursuant to RCW 19.146.220(2), the Director may issue  
15 orders directing a licensee or other person subject to the Act to pay restitution.

16 **3.5 Authority to Collect Investigation Fee.** Pursuant to RCW 19.146.228(2) and WAC 208-  
17 660-550(4)(a), the Department will charge forty-eight dollars per hour for an examiner's time  
18 devoted to an investigation of the books and records of a licensee or other person subject to the Act.

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

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

1 4.1 Respondents Second Opportunity Support Center and Trina D. Brown cease and desist  
2 engaging in the business of a mortgage broker.

3 4.2 Respondent Second Opportunity Support Center be prohibited from participation in the  
4 conduct of the affairs of any mortgage broker subject to licensure by the Director, in any manner, for  
5 a period of five years.

6 4.3 Respondent Trina D. Brown be prohibited from participation in the conduct of the affairs of  
7 any mortgage broker subject to licensure by the Director, in any manner, for a period of five years.

8 4.4 Respondents Second Opportunity Support Center and Trina D. Brown jointly and severally  
9 pay a fine. As of the date of this Statement of Charges, the fine totals \$8,250.

10 4.5 Respondents Second Opportunity Support Center and Trina D. Brown jointly and severally  
11 pay restitution totaling \$1,800 to at least the two borrowers identified in paragraphs 1.2 and 1.3 of  
12 this Statement of Charges.

13 4.6 Respondents Second Opportunity Support Center and Trina D. Brown jointly and severally  
14 pay restitution in an amount to be shown at hearing to any similarly situated borrowers.

15 4.7 Respondents Second Opportunity Support Center and Trina D. Brown jointly and severally  
16 pay an investigation fee. As of the date of this Statement of Charges, the investigation fee totals  
17 \$974.40.

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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,  
3 Prohibit From Industry, Impose Fine, Order Restitution and Collect Investigation Fee (Statement of  
4 Charges) is entered pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW  
5 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The  
6 Administrative Procedure Act). Respondents may make a written request for a hearing as set forth in  
7 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING  
8 accompanying this Statement of Charges.

9  
10 Dated this 12<sup>th</sup> day of July, 2011



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13 DEBORAH BORTNER  
14 Director  
15 Division of Consumer Services  
16 Department of Financial Institutions

17 Presented by:



18 ROBERT E. JONES  
19 Financial Legal Examiner

20 Approved by:



21 JAMES R. BRUSSELBACK  
22 Enforcement Chief