ORDER SUMMARY – Case Number: C-12-1073

Name(s): Blake Michael Weisenfelder

Order Number: C-12-1073-12-FO01

Effective Date: December 10, 2012

License Number: NMLS#280448
Or **NMLS Identifier** [U/L]
(Revoked, suspended, stayed, application denied or withdrawn)
If applicable, you must specifically note the ending dates of terms.

License Effect: Application denied

Not Apply Until:

Not Eligible Until:

Prohibition/Ban Until: 5 years

Investigation Costs	$	Due	Paid ☐ Y ☐ N	Date
Fine	$	Due	Paid ☐ Y ☐ N	Date
Assessment(s)	$	Due	Paid ☐ Y ☐ N	Date
Restitution	$	Due	Paid ☐ Y ☐ N	Date
Judgment	$	Due	Paid ☐ Y ☐ N	Date
Satisfaction of Judgment Filed?		☐ Y ☐ N		
No. of Victims:				

Comments: Default FO. R's license application was denied and he is banned for five years.

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF INVESTIGATING: The mortgage loan originator license application under the Consumer Loan Act of Washington by: BLAKE MICHAEL WEISENFELDER, NMLS# 280448 Respondent.	No.: C-12-1073-12-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 (Director's designee), pursuant to RCW 34.05.440(1). On October 18, 2012, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intention to Enter an Order to deny license application and prohibit from industry (Statement of Charges) against Blake Michael Weisenfelder (Respondent). 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 October 19, 2012, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On October 19, 2012, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and Federal Express overnight delivery. On October 22, 2012, 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.

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

B. Record Presented. The record presented to the Director's designee for her review and for entry of a final decision included the following: Statement of Charges, cover letter dated October 19, 2012, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for Adjudicative Hearing for Respondent, with documentation for service.

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

II. FINAL ORDER

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

A. IT IS HEREBY ORDERED, That:

1. Respondent Blake Michael Weisenfelder's application for a license to conduct the business of a Mortgage Loan Originator is denied.

2. Respondent Blake Michael Weisenfelder is prohibited from participation in the conduct of the affairs of any consumer loan company subject to licensure by the Director, in any manner, for a period of five years.

B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has 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 Respondent. 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's designee 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. Respondent has 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.

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

DATED this 10th day of December, 2012

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

[redacted]

DEBORAH BORTNER
Director
Division of Consumer Services

STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF INVESTIGATING the Mortgage Loan Originator License Application under the Consumer Loan Act of Washington by: BLAKE MICHAEL WEISENFELDER, NMLS #280448 Respondent.	No.: C-12-1073-12-SC01 STATEMENT OF CHARGES and NOTICE OF INTENTION TO ENTER AN ORDER TO DENY LICENSE APPLICATION AND PROHIBIT FROM INDUSTRY

INTRODUCTION

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.055 and 31.04.145, 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 Blake Michael Weisenfelder (Respondent) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a mortgage loan originator license under Mortgage Research Center, LLC, a consumer loan company licensed under the Act. The license application was received by the Department, through the Nationwide Mortgage Licensing System and Registry, on or about May 9, 2012.

1.2 Prior Criminal Acts. On or about June 2, 2011, Respondent was arrested in Missouri for passing a bad check, a misdemeanor involving financial services. The case is currently pending in the 13th Judicial Circuit of the Boone County Circuit Court.

1.3 Responses to Application Questions. The "Criminal Disclosure" section of the Uniform Individual Mortgage License/Registration & Consent form (Form MU4) consists of eight questions. The required New Application Checklist includes the following instruction: "Provide complete details of all events or proceedings for any "Yes" answer to any of the disclosure questions on your MU4 filing." On or about April 25, 2012, Respondent answered "no" to the following questions on the "Criminal Disclosure" section of his form MU4:

- H.1.- Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to committing or conspiring to commit a misdemeanor involving: (i) financial services or a financial services-related business, (ii) fraud, (iii) false statements or omissions, (iv) theft or wrongful taking of property, (v) bribery, (vi) perjury, (vii) forgery, (viii) counterfeiting, or (ix) extortion?
- H.2.- Are there pending charges against you for a misdemeanor specified in (H)(1)?

Respondent was obligated by statue to answer questions on the Form MU4 truthfully and to provide the Department with complete details of all events or proceedings. Respondent attested, under penalty of perjury, to the accuracy and completeness of the Form MU4.

1.4 Financial Responsibility, Character, and General Fitness. Respondent has not demonstrated financial responsibility, character, and general fitness as evidenced by his arrest for passing a bad check and failure to properly disclose this arrest on his application.

II. GROUNDS FOR ENTRY OF ORDER

2.1 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness. Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW 31.04.247(1)(e) and WAC 208-620-710(4)(a) by failing to demonstrate character and general fitness such as to command the confidence of the community and to warrant a

belief that the business will be operated honestly, fairly, and efficiently within the purposes of the Act.

2.2 Prohibited Practices. Based on the Factual Allegations set forth in Section I above, Respondent is in apparent violation of RCW 31.04.027(8) for providing false statements or omission of material information in connection with any investigation by the Department. Respondent is also in apparent violation of RCW 31.04.241(2) and WAC 208-620-550(5) for not furnishing information pertaining to personal history and experience in a form prescribed by the Nationwide Mortgage Licensing System and Registry.

2.3 Requirement to Provide Information on License Application. Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW 31.04.234 and 31.04.241(2) by failing to provide an accurate license application in the form prescribed by the Director.

III. AUTHORITY TO IMPOSE SANCTIONS

3.1 Authority to Deny Application for Loan Originator License. Pursuant to RCW 31.04.247(2), the Director may deny licenses to applicants. Pursuant to RCW 31.04.247(2), the Director shall not issue a license if the conditions of RCW 31.04.247(1) have not been met by the applicant, and shall notify the applicant of the denial.

3.2 Authority to Prohibit from Industry. Pursuant to RCW 31.04.093(6), the Director may issue orders removing from office or prohibiting from participation in the conduct of the affairs of any licensee, or both, any officer, principal, employee, or loan originator of any person subject to this chapter for a violation of RCW 31.04.027.

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IV. NOTICE OF INTENTION TO ENTER ORDER

Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC, as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis for the entry of an Order under RCW 31.04.055, RCW 31.04.093, RCW 31.04.165, RCW 31.04.205, and RCW 31.04.247. Therefore, it is the Director's intention to ORDER that:

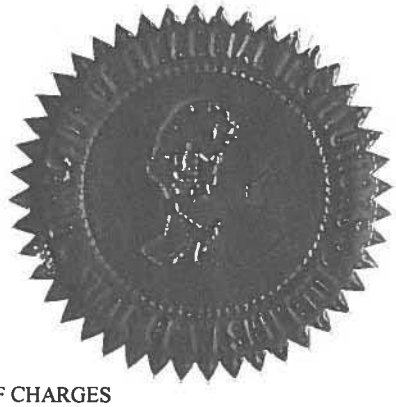
4.1 Respondent Blake Michael Weisenfelder's application for a mortgage loan originator license be denied.

4.2 Respondent Blake Michael Weisenfelder be prohibited from participation in the conduct of the affairs of any consumer loan company subject to licensure by the Department, in any manner, for five years.

V. AUTHORITY AND PROCEDURE

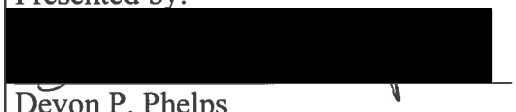
This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 31.04.093, RCW 31.04.165, RCW 31.04.168, and RCW 31.04.202, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this Statement of Charges.

Dated this 18th day of October, 2012



DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:



Devon P. Phelps
Financial Legal Examiner

Approved by:

Steven C. Sherman
Financial Legal Examiner Supervisor