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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-07-176-07-FO01

DEAN GREGORY JACOBSEN,
Respondent.

FINAL ORDER

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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 October 4, 2007, the Director, through Consumer Services Division Director Deborah Bortner, entered an Amended Statement of Charges and Notice of Intention to Enter an Order to Deny License Application (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 October 5, 2007, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Request for Brief Adjudicative Proceeding. The Department served the Statement of Charges, cover letter dated October 5, 2007, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Request for Brief Adjudicative Proceeding on Respondent on October 5, 2007 by first class mail and Federal Express overnight delivery. On October 8, 2007, the documents sent via Federal Express overnight delivery were delivered. 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 October 5, 2007, Notice
6 of Opportunity to Defend and Opportunity for Hearing, and blank Request for Brief Adjudicative
7 Proceeding, 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 Respondent Dean Gregory Jacobsen's application for a loan originator license is denied.

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

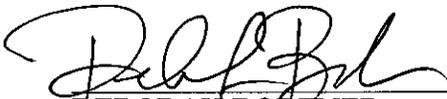
7 D. Judicial Review. Respondent has the right to petition the superior court for judicial
8 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing
9 a Petition for Judicial Review, see RCW 34.05.510 and sections following.

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.
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14 DATED this 6th day of December, 2007.

15 STATE OF WASHINGTON
16 DEPARTMENT OF FINANCIAL INSTITUTIONS



17 
18 DEBORAH BORTNER
19 DIRECTOR
20 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:

DEAN GREGORY JACOBSEN,

Respondent.

NO. C-07-176-07-SC02

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

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INTRODUCTION

10 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of Financial
11 Institutions of the State of Washington (Director) is responsible for the administration of chapter 19.146 RCW, the
12 Mortgage Broker Practices Act (Act)¹. After having conducted an investigation pursuant to RCW 19.146.310, and
13 based upon the facts available as of the date of this Statement of Charges, the Director, through his designee,
14 Division of Consumer Services Director Deborah Bortner, institutes this proceeding and finds as follows:

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I. FACTUAL ALLEGATIONS

17 **1.1 Respondent Dean Gregory Jacobsen (Respondent Jacobsen)** submitted an application to the
18 Department of Financial Institutions of the State of Washington (Department) for a loan originator license under
19 Alki Mortgage, LLC, a mortgage broker licensed under the Act. The on-line application was received by the
20 Department on or about March 19, 2007.

21 **1.2 Prior Criminal Acts.** On or about June 5, 2002, Respondent Jacobsen was charged with Trafficking in
22 10 grams or more of MDMA in violation of FSS 893.135(1)(K)(2)(A) and FSS 893.03(1)(a)(39). On
23 November 8, 2002, Respondent Jacobsen plead guilty to Trafficking in 10 grams or more of MDMA in
24 violation of FSS 893.135(1)(K)(2)(A) and FSS 893.03(1)(a)(39).
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¹ RCW 19.146 (Amended 2006; Effective January 1, 2007)

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

2 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I
3 above, Respondent Jacobsen fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-
4 350(2)(c) by having been convicted of a gross misdemeanor involving dishonesty or financial misconduct or a
5 felony within seven years of the filing of the present application.

6 **III. AUTHORITY TO IMPOSE SANCTIONS**

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

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

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

17 **4.1** Respondent Dean Gregory Jacobsen’s application for a loan originator license be denied.

18 **V. AUTHORITY AND PROCEDURE**

19 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application
20 (Statement of Charges) is issued pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW
21 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative
22 Procedure Act). Respondent may make a written request for a Brief Adjudicative Proceeding as set forth in the
23 NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR BRIEF ADJUDICATIVE
24 PROCEEDING accompanying this Statement of Charges.
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1 Dated this 4th day of October 2007.



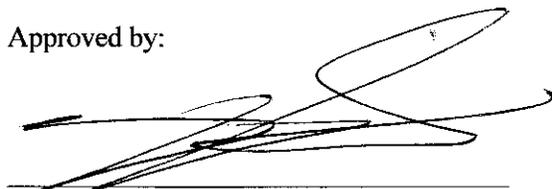
DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

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5 Presented by:

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8 ROBERT E. JONES
Financial Legal Examiner

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10 Approved by:

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12 FATIMA BATIE
13 Financial Legal Examiner Supervisor



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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:

DEAN GREGORY JACOBSEN,

Respondent.

NO. C-07-176-07-SC01

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 Dean Gregory Jacobsen (Respondent Jacobsen) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Alki Mortgage, LLC, a mortgage broker licensed under the Act. The on-line application was received by the Department on or about March 19, 2007.

1.2 Prior Criminal Acts. On or about June 5, 2002, Respondent Jacobsen was charged with Trafficking in 10 grams or more of MDMA in violation of FSS 893.135(1)(K)(2)(A) and FSS 893.03(1)(a)(39). On November 8, 2002, Respondent Jacobsen plead guilty to Trafficking in 10 grams or more of MDMA in violation of FSS 893.135(1)(K)(2)(A) and FSS 893.03(1)(a)(39).

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

1 **1.3 Responses to Application Questions.** The “Criminal Disclosure” section of the loan originator license
2 application consists of eight questions, and includes the following instruction:

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

4 Respondent Jacobsen answered “no” to the following questions on the “Criminal Disclosure” section of his loan
5 originator license application:

- 6 • 1-Have you ever been convicted of or plead guilty or nolo contendere (“no contest”) in a
7 domestic, foreign, or military court to any felony?
- 8 • 2-Have you ever been charged with any felony?

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

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

12 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section I above,
13 Respondent Jacobsen fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by
14 having been convicted of a gross misdemeanor involving dishonesty or financial misconduct or a felony within
15 seven years of the filing of the present application.

16 **2.2 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above, Respondent
17 Jacobsen is in apparent violation of RCW 19.146.0201(8) and WAC 208-660-500(3)(i) for negligently making
18 any false statement or willfully making any omission of material fact in connection with any application or any
19 information filed by a licensee in connection with any application, examination or investigation conducted by
20 the Department.

21 **2.3 Requirement to Provide Information on License Application.** Based on the Factual Allegations set
22 forth in Section I above, Respondent Jacobsen fails to meet the requirements of RCW 19.146.300(1) and (2)
23 and RCW 19.146.310(1)(b) by failing to provide an accurate and complete license application in the form
24 prescribed by the Director.

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1 **2.4 Requirement to Demonstrate Character and General Fitness.** Based on the Factual Allegations set
2 forth in Section I above, Respondent Jacobsen fails to meet the requirements of RCW 19.146.310(1)(g) and
3 WAC 208-660-350(2)(a) by failing to demonstrate character and general fitness such as to command the
4 confidence of the community and to warrant a belief that the business will be operated honestly and fairly
5 within the purposes of the Act.

6 III. AUTHORITY TO IMPOSE SANCTIONS

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

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

16 IV. NOTICE OF INTENTION TO ENTER ORDER

17 Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 WAC, as set forth
18 in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose Sanctions, constitute a basis
19 for the entry of an Order under RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310.
20 Therefore, it is the Director's intention to ORDER that:

21 **4.1** Respondent Dean Gregory Jacobsen's application for a loan originator license be denied.

22 **4.2** Respondent Dean Gregory Jacobsen be prohibited from participation in the conduct of the affairs of any
23 mortgage broker subject to licensure by the Director, in any manner, through March 19, 2014.

24 V. AUTHORITY AND PROCEDURE

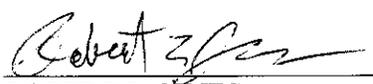
25 This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application and
Prohibit from Industry (Statement of Charges) is entered pursuant to the provisions of RCW 19.146.220,

1 RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05
2 RCW (The Administrative Procedure Act). Respondent may make a written request for a hearing as set forth in
3 the NOTICE OF OPPORTUNITY TO DEFEND AND OPPORTUNITY FOR HEARING accompanying this
4 Statement of Charges.

5 Dated this 6th day of September, 2007.

7 
8 DEBORAH BORTNER
9 Director
10 Division of Consumer Services
11 Department of Financial Institutions

10 Presented by:

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12 ROBERT E. JONES
13 Financial Legal Examiner



14 Approved by:

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17 FATIMA BATIE
18 Financial Legal Examiner Supervisor

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