

Terms Completed

ORDER SUMMARY – Case Number: C-07-276

Name(s): Patrick Kevin Donovan

Order Number: C-07-276-08-FO01

Effective Date: January 9, 2008

License Number: DFI: 37793

Or NMLS Identifier [U/L] (Revoked, suspended, stayed, application denied or withdrawn)

License Effect: Denial
If applicable, you must specifically note the ending dates of terms.

Not Apply Until: n/a

Not Eligible Until: _____

Prohibition/Ban Until: n/a

Investigation Costs	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Fine	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Assessment(s)	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Restitution	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Judgment	\$	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
Satisfaction of Judgment Filed?		<input type="checkbox"/> Y <input type="checkbox"/> N		
No. of Victims:				

Comments: _____

1
2
3
4
5
6
7
8

**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:

PATRICK KEVIN DONOVAN,
Respondent.

NO. C-07-276-08-FO01

FINAL ORDER

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 September 24, 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 (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 September 24, 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 September
24, 2007, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for
Adjudicative Hearing on Respondent on November 15, 2007, by Federal Express overnight delivery.

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

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

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

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

10
11 DATED this 9th day of January, 2008.

12 STATE OF WASHINGTON
13 DEPARTMENT OF FINANCIAL INSTITUTIONS



14 Deborah Bortner
15 DEBORAH BORTNER
16 DIRECTOR
17 DIVISION OF CONSUMER SERVICES

1
2
3
4
5
6
7
8

**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:

PATRICK KEVIN DONOVAN,

Respondent.

NO. C-07-276-07-SC01

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

9
10
11
12
13
14

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:

15
16
17
18
19
20
21
22
23
24
25

I. FACTUAL ALLEGATIONS

1.1 Patrick Kevin Donovan (Respondent Donovan) submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a loan originator license under Precision Mortgage, Inc., a mortgage broker licensed under the Act. The on-line application was received by the Department on or about December 27, 2006.

A. Prior Criminal Acts. On January 12, 2000, Respondent Donovan pleaded guilty to a Violation of the Uniform Controlled Substance Act (VUCSA) – Delivery of Cocaine, in the Superior Court of Washington for King County, a felony, pursuant to RCW 69.50.401(a)(1)(i). On or about March 12, 2007, in the Superior Court of Washington for King County, Respondent Donovan was charged with VUCSA – Possession of Controlled Substance, a felony, pursuant to RCW 69.50.4013.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

II. GROUNDS FOR ENTRY OF ORDER

2.1 Requirement of No Prior Convictions. Based on the Factual Allegations set forth in Section I above, Respondent Donovan fails to meet the requirements of RCW 19.146.310(1)(d) and WAC 208-660-350(2)(c) by having been convicted of a felony within seven years of the filing of the present application.

III. AUTHORITY TO IMPOSE SANCTIONS

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

IV. NOTICE OF INTENTION TO ENTER ORDER

Respondent's violations of the provisions of chapter 19.146 RCW and chapter 208-660 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 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.310. Therefore, it is the Director's intention to ORDER that:

4.1 Respondent Patrick Kevin Donovan's application for a loan originator license be denied.

V. AUTHORITY AND PROCEDURE

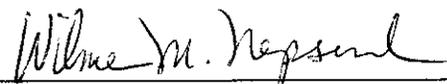
This Statement of Charges and Notice of Intention to Enter an Order to Deny License Application (Statement of Charges) is issued pursuant to the provisions of RCW 19.146.220, RCW 19.146.221, RCW 19.146.223 and RCW 19.146.230, and is subject to the provisions of chapter 34.05 RCW (The Administrative Procedure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

//
//

1 Dated this 24th day of September 2007.

2
3 
4 DEBORAH BORTNER
5 Director
6 Division of Consumer Services
7 Department of Financial Institutions

8 Presented by:

9
10 
11 WILMA M. NEPSUND
12 Financial Examiner

13 Approved by:

14
15 
16 FATIMA BATIE
17 Financial Legal Examiner Supervisor



25