

TERMS COMPLETED

ORDER SUMMARY – Case Number: C-12-0953

Name(s): Chad Andrew Crithfield

Order Number: C-12-0953-14-CO01

Effective Date: January 29, 2014

License Number: DFI: 69249 NMLS ID: 405719
Or NMLS Identifier [U/L]

License Effect: Prohibited as stated below and application approved effective
January 14, 2014

Not Apply Until: _____

Not Eligible Until: _____

Prohibition/Ban Until: January 1, 2014 – January 13, 2014

Investigation Costs	\$897	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 1/24/2014
Fine	\$12,500	Due	Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Date 1/24/2014
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:				

1 A. **Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter
2 of the activities discussed herein.

3 B. **Waiver of Hearing.** It is AGREED that Respondent has been informed of the right to a
4 hearing before an administrative law judge, and hereby waives his right to a hearing and any and all
5 administrative and judicial review of the issues raised in this matter, or of the resolution reached
6 herein. Accordingly, Respondent, by his signature below, withdraws his appeal to the Office of
7 Administrative Hearings.

8 C. **Prohibition.** It is AGREED that Respondent served a prohibition from acting as a
9 mortgage loan originator for the period of January 1, 2014, through January 13, 2014.

10 D. **Mortgage Loan Originator License Application.** It is AGREED that Respondent's
11 mortgage loan originator license renewal application, submitted on or about November 13, 2013, is
12 approved effective January 14, 2014.

13 E. **Fine.** It is AGREED that Respondent shall pay a fine to the Department in the amount of
14 \$12,500, in the form of a cashier's check made payable to the "Washington State Treasurer," upon
15 entry of this Consent Order.

16 F. **Investigation Fee.** It is AGREED that Respondent shall pay to the Department an
17 investigation fee of \$897, in the form of a cashier's check made payable to the "Washington State
18 Treasurer," upon entry of this Consent Order. The Fine and Investigation Fee may be paid together
19 in one \$13,397 cashier's check made payable to the "Washington State Treasurer."

20 G. **Continuing Education.** It is AGREED that Respondent shall complete 10 hours of
21 continuing education by January 14, 2015, in addition to the minimum hours of continuing education
22 required by RCW 31.04.267.

1 **H. Non-Compliance with Order.** It is AGREED that Respondent understands that failure to
2 abide by the terms and conditions of this Consent Order may result in further legal action by the
3 Director. In the event of such legal action, Respondent may be responsible to reimburse the Director
4 for the cost incurred in pursuing such action, including but not limited to, attorney fees.

5 **I. Voluntarily Entered.** It is AGREED that Respondent has voluntarily entered into this
6 Consent Order, which is effective when signed by the Director's designee.

7 **J. Completely Read, Understood, and Agreed.** It is AGREED that Respondent has read
8 this Consent Order in its entirety and fully understands and agrees to all of the same.

9
10 **RESPONDENT:**

11 /S/
12 Chad A. Crithfield

1/17/14
Date

13 /S/
14 Carl J. Oreskovich, WSBA No. 12779
15 Attorney at Law
Attorney for Respondent

1/17/14
Date

16 DO NOT WRITE BELOW THIS LINE

17 THIS ORDER ENTERED THIS 29th DAY OF January, 2014.

18
19 /S/
DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

1 Presented by:

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/S/

3 Kenneth J. Sugimoto
4 Financial Legal Examiner

5 Approved by:

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/S/

7 Charles E. Clark
8 Enforcement Chief

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24 CONSENT ORDER
C-12-0953-14-CO01
CHAD A. CRITHFIELD

1 **1.2 Prior Criminal Acts.** On or about May 16, 2011, in the Superior Court of the State of
2 Washington, County of Benton, Case No. 11-1-00485-0, the Prosecuting Attorney for Benton County
3 (Prosecutor) filed information alleging Respondent committed three counts of Assault in the Fourth
4 Degree with Sexual Motivation, in violation of RCW 9A.36.041(1) and RCW 9.94A.835
5 (misdemeanors). On or about October 12, 2011, the Prosecutor filed amended information alleging
6 Respondent committed two counts of Commercial Sex Abuse of a Minor, in violation of RCW
7 9.68A.100(1)(a) (felonies); and one count of Prostitution, in violation of RCW 9A.88.030
8 (misdemeanor). On or about May 11, 2012, Respondent pled guilty to three counts of Prostitution, in
9 violation of RCW 9A.88.030 (misdemeanors).

10 **1.3 Responses to Application Questions.** The “Criminal Disclosure” section of the NMLS
11 Uniform Individual Mortgage License/Registration & Consent form (Form MU4) consists of eight
12 questions. On or about July 25, 2011, Respondent answered, “No” to the following question in the
13 “Criminal Disclosure” section of his Form MU4 submitted to the Department:

- 14 • “Are there pending charges against you for any felony?”

15 Respondent was obligated by statute to answer questions on the Form MU4 truthfully and to provide
16 the Department with complete details of all events or proceedings. Respondent attested, under
17 penalty of perjury, to the truth, accuracy and completeness of his Form MU4. In the “Oath” section
18 of his Form MU4, Respondent agreed to and represented the following, among other things, under
19 penalty of perjury:

- 20 • “To keep the information contained in this form current and to file accurate supplementary
21 information on a timely basis...”

1 On or about November 4, 2011, Respondent submitted his 2012 Attestation through NMLS. In the
2 2012 Attestation, Respondent swore and affirmed the following, among other things, under penalty of
3 perjury:

- 4 • “I affirm/attest that I have updated the documents on file with the jurisdiction(s) to
5 disclose any new event or proceeding requiring an affirmative answer to any Disclosure
6 Question which has occurred since submission of my license/registration application or
7 renewal application to the applicable jurisdiction(s). Any documents explaining
8 affirmative answers to any Disclosure Questions previously submitted to each
9 jurisdiction(s) remain true and accurate.”

10 Respondent failed to disclose the pending felony charges referenced in paragraph 1.2 at any time
11 between the filing of the amended information by the Prosecutor on or about October 12, 2011, and
12 the entry of the plea agreement on or about May 11, 2012.

13 **1.4 Character and General Fitness.** Respondent has not demonstrated character and general
14 fitness as evidenced by Respondent’s failure to provide truthful information on his Form MU4.

15 II. GROUNDS FOR ENTRY OF ORDER

16 **2.1 Requirement to Demonstrate Character and General Fitness.** Based on the Factual
17 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
18 31.04.247(1)(e), WAC 208-620-370(2)(c), and WAC 208-620-710(4)(a) by failing to demonstrate
19 character and general fitness such as to command the confidence of the community and to warrant a
20 belief that the business will be operated honestly, fairly, and efficiently within the purposes of the
21 Act.

22 **2.2 Requirement to Provide Information on License Application.** Based on the Factual
23 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW

1 31.04.234 and 31.04.241(2) by failing to provide a license application in the form prescribed by the
2 Director.

3 **2.3 Prohibited Practices.** Based on the Factual Allegations set forth in Section I above,
4 Respondent is in apparent violation of RCW 31.04.241(2) and WAC 208-620-550(5) for not
5 furnishing information pertaining to personal history and experience in a form prescribed by NMLS.
6 Based on the Factual Allegations set forth in Section I above, Respondent is in apparent violation of
7 RCW 31.04.027(8) and WAC 208-620-550(5) for negligently making any false statement or
8 knowingly and willfully making any omission of material fact in connection with any application or
9 any information filed with the Department or in connection with any investigation conducted by the
10 Department.

11 III. AUTHORITY TO IMPOSE SANCTIONS

12 **3.1 Authority to Revoke Loan Originator License.** Pursuant to RCW 31.04.093(3)(b), the
13 Director may suspend or revoke a license issued under the Act if the Director finds that the licensee,
14 either knowingly or without the exercise of due care, has violated any provision of the Act or any rule
15 adopted under the Act.

16 **3.2 Authority to Prohibit from Industry.** Pursuant to RCW 31.04.093(6), the Director may
17 issue orders removing from office or prohibiting from participation in the conduct of the affairs of
18 any licensee, or both, any officer, principal, employee, or loan originator of any person subject to the
19 Act for any violation of RCW 31.04.027.

20 **3.3 Authority to Impose Fine.** Pursuant to RCW 31.04.093(4), the Director may impose fines of
21 up to one hundred dollars per day upon the licensee, its employee, or other person subject to the Act
22 for any violation of the Act.

1 **3.4 Authority to Collect Investigation Fee.** Pursuant to RCW 31.04.145(3) and WAC 208-620-
2 590, every licensee investigated by the Director or the Director’s designee shall pay to the Director
3 the cost of the investigation, calculated at the rate of \$69.01 per hour.

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

5 Respondent’s violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,
6 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose
7 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.145, RCW
8 31.04.165, and RCW 31.04.168. Therefore, it is the Director’s intention to ORDER that:

- 9 **4.1** Respondent Chad A. Crithfield’s mortgage loan originator license be revoked.
- 10 **4.2** Respondent Chad A. Crithfield be prohibited from participation in the conduct of the
11 affairs of any consumer lender subject to licensure by the Director under chapter
31.04, in any manner, for five years.
- 12 **4.3** Respondent Chad A. Crithfield pay a fine, which as of the date of this Statement of
13 Charges totals \$1,500.
- 14 **4.4** Respondent Chad A. Crithfield pay the cost of the Department’s investigation. As of
the date of this Statement of Charges, the cost of the investigation totals \$897.13.

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V. AUTHORITY AND PROCEDURE

This Statement of Charges and Notice of Intention to Enter an Order to Revoke License, Prohibit from Industry, and Collect Investigation Fee is entered pursuant to the provisions of RCW 31.04.093, RCW 31.04.145, 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 27th day of December, 2013.

/S/ _____
DEBORAH BORTNER
Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

/S/ _____
KENNETH J. SUGIMOTO
Financial Legal Examiner

Approved by:

/S/ _____
CHARLES E. CLARK
Enforcement Chief