

ORDER SUMMARY
Consumer Services Division Case Number C-24-3790

Consent Orders resolve investigations. In these, companies and individuals work with us to agree to terms that resolve the alleged issues in the investigation.

Name	Huy Huynh Nguyen, NMLS #259303
Order Number	C-24-3790-24-CO01
Date issued	11/13/2024

What does this Consent Order require?

- Respondent's loan originator license application is withdrawn.
- Respondent must not apply to the Department for any license until 11/13/2029
- Respondent is not allowed to participate in loan originating in Washington before 11/13/2029 and until he receives a loan originator license.
- Respondent must provide accurate and complete information in his license application and on NMLS.
- Respondent will update and correct his responses to the criminal disclosure questions in NMLS.

Need more information?

You can contact the Consumer Services Division, Enforcement unit at (360) 902-8703 or cseforcecomplaints@dfi.wa.gov. Please remember that we cannot provide financial or legal advice to members of the public. We also cannot release confidential information.

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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING:
The mortgage loan originator license application
under the Mortgage Broker Practices Act of
Washington by:

No.: C-24-3790-24-CO01

CONSENT ORDER

HUY HUYNH NGUYEN,
NMLS #259303,

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through his
designee Ali Higgs, Division of Consumer Services Acting Director, and Huy Huynh Nguyen,
(Respondent Nguyen) and finding that the issues raised in the above-captioned matter may be
economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is
entered pursuant to chapter 19.146 of the Revised Code of Washington (RCW), and RCW 34.05.060
of the Administrative Procedure Act, based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and
Respondent Nguyen have agreed upon a basis for resolution of the matters alleged in Statement of
Charges No. C-24-3790-24-SC01 (Statement of Charges), entered September 19, 2024 (copy
attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and
RCW 34.05.060 of the Administrative Procedure Act, Respondent Nguyen hereby agrees to the
Department's entry of this Consent Order and further agrees that the issues raised in the above-
captioned matter may be economically and efficiently settled by entry of this Consent Order. The
parties intend this Consent Order to fully resolve the Statement of Charges.

Based upon the foregoing:

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

8 **C. Loan Originator License Application Withdrawal.** It is AGREED that Respondent
9 Nguyen's loan originator license application is withdrawn.

10 **D. License Application Requirements.** It is AGREED that Respondent Nguyen
11 understands that a loan originator applicant must not have been convicted of, or pled guilty or nolo
12 contendere to, a felony in a domestic court at any time preceding the date of application if the felony
13 involved an act of fraud, dishonesty, breach of trust, or money laundering. It is further agreed that
14 Respondent Nguyen understands that an applicant must provide accurate and complete license
15 application information in the form prescribed by the Director or NMLS, which includes providing
16 accurate and complete responses to criminal disclosure questions in NMLS.

17 **E. Application for License.** It is AGREED that, for a period of five years from the date of
18 entry of this Consent Order, Respondent Nguyen shall not apply to the Department for any license
19 under any name. It is AGREED that Respondent Nguyen shall not engage in any conduct or activity
20 requiring a license under the Act unless exempt or until having obtained a license to do so. It is
21 further AGREED that, should Respondent Nguyen apply to the Department for any license under any
22 name at any time later than five years from the date of entry of this Consent Order, Respondent
23 Nguyen shall be required to meet any and all application requirements in effect at that time.

1 **F. Correct Information in NMLS.** It is AGREED that Respondent Nguyen will update and
2 correct his responses to the criminal disclosure questions in NMLS.

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


8 **H. Voluntarily Entered.** It is AGREED that Respondent Nguyen has voluntarily entered
9 into this Consent Order, which is effective when signed by the Director's designee.

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

12 **J. Counterparts.** This Consent Order may be executed in any number of counterparts,
13 including by facsimile or e-mail of a .pdf or similar file, each of which shall be deemed to be an
14 original, but all of which, taken together, shall constitute one and the same Consent Order.


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16 **RESPONDENT:**

17 Huy Huynh Nguyen
18 By:

19 
20 Huy Huynh Nguyen

19 11/13/2024
20 Date

21 Approved for Entry:

22 
23 Jessica M. Creager
24 Attorney at Law
Seattle Litigation Group, PLLC
Attorney for Respondent Nguyen

21 11/13/2024
22 Date

DO NOT WRITE BELOW THIS LINE

THIS ORDER ENTERED THIS 13th DAY OF November, 2024.



[Redacted signature]

ALI HIGGS, Acting Director
Division of Consumer Services
Department of Financial Institutions

Presented by:

[Redacted signature]

LAURA J. DRABANDT
Financial Legal Examiner

Reviewed by:

[Redacted signature]

DREW STILLMAN
Financial Legal Examiner Supervisor

Approved by:

[Redacted signature]

JAMES R. BRUSSELBACK
Acting Enforcement Chief

1 STATE OF WASHINGTON
2 DEPARTMENT OF FINANCIAL INSTITUTIONS
3 DIVISION OF CONSUMER SERVICES

4 IN THE MATTER OF INVESTIGATING:
5 The mortgage loan originator license application
6 under the Mortgage Broker Practices Act of
7 Washington by:

8 HUY HUYNH NGUYEN,
9 NMLS #259303,

10 Respondent.

No. C-24-3790-24-SC01

11 STATEMENT OF CHARGES and
12 NOTICE OF INTENT TO ENTER
13 AN ORDER TO DENY APPLICATION FOR
14 LICENSE and RECOVER COSTS AND
15 EXPENSES

16 INTRODUCTION

17 Pursuant to RCW 19.146.220 and RCW 19.146.223, the Director of the Department of
18 Financial Institutions of the State of Washington (Director) is responsible for the administration of
19 chapter 19.146 RCW, the Mortgage Broker Practices Act (Act). After investigating pursuant to RCW
20 19.146.210, and based upon the facts available as of the date of this Statement of Charges, the
21 Director, through his designee, Consumer Services Division Director Ali Higgs, institutes this
22 proceeding and finds as follows:

23 I. FACTUAL ALLEGATIONS

24 **1.1 Respondent. Huy Huynh Nguyen (Respondent)** submitted an application to the Department
of Financial Institutions of the State of Washington (Department) for a license to conduct the
business of a mortgage loan originator. The license application was received by the Department,
through the Nationwide Multistate Licensing System (NMLS),¹ on or about April 4, 2024.

1.2 Prior Criminal Conviction. On or about September 13, 2011, Respondent pled guilty to a
felony [REDACTED] in the United States District Court, Western
District of Washington.

¹ The Nationwide Multistate Licensing System is a multistate licensing system developed and maintained by the
Conference of State Bank Supervisors for licensing and registration.

1 **1.3 Omission and False Statement to the Department.** On or about April 4, 2024, Respondent
2 submitted his application through NMLS for the Department to review. Under the disclosure question
3 there is a subsection for criminal disclosures. Question (F)(1) asks, “Have you ever been convicted of
4 or pled guilty or nolo contendere (“no contest”) in a domestic, foreign, or military court to any
5 felony?” The Respondent answered, “No” to the question. The Respondent did not disclose his felony
6 conviction described in the previous paragraph to Question (F)(1).

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

8 **2.1 Requirement of No Prior Convictions.** Based on the Factual Allegations set forth in Section
9 I above, Respondent fails to meet the requirements of RCW 19.146.310(1)(d)(ii) and WAC 208-660-
10 350(2)(c) by having been convicted of a felony [REDACTED]
11 [REDACTED] at any time preceding the date of application.

12 **2.2 Requirement to Provide Information on License Application.** Based on the Factual
13 Allegations set forth in Section I above, Respondent fails to meet the requirements of RCW
14 19.146.300(1) and (2), and RCW 19.146.310(1)(b) by failing to provide an accurate and complete
15 license application in the form prescribed by the Director or NMLS.

16 **2.3 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness.**
17 Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the
18 requirements of RCW 19.146.310(1)(g) and WAC 208-660-350(2)(a) by having not demonstrating
19 the financial responsibility, character, and general fitness that commands the confidence of the
20 community and not creating a belief that you will conduct business honestly and fairly within the
21 purposes of the Act.

22 **III. AUTHORITY TO IMPOSE SANCTIONS**

23 **3.1 Authority to Deny Application for Loan Originator License.** Pursuant to RCW
24 19.146.220(1), the Director may deny licenses to loan originators. Pursuant to RCW 19.146.310(2),

1 if the Director does not find the conditions of RCW 19.146.310(1) have been met, the Director shall
2 not issue the loan originator license and shall notify the loan originator applicant of the denial.

3 **3.2 Authority to Recover Costs and Expenses.** Pursuant to RCW 19.146.221(2), the Director
4 may recover the state's costs and expenses for prosecuting violations of the Act.

5 **IV. NOTICE OF INTENT TO ENTER ORDER**

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

10 **4.1** Respondent Huy Huynh Nguyen's application for a license to conduct the business of
11 a mortgage loan originator be denied.

12 **4.2** Respondent Huy Huynh Nguyen pay the Department's costs and expenses for
13 prosecuting violations of the Act in an amount to be determined at hearing or by
14 declaration with supporting documentation in event of default by Respondent.

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1 **V. AUTHORITY AND PROCEDURE**

2 This Statement of Charges and Notice of Intent to Enter an Order to Deny License
3 Application (Statement of Charges) is issued pursuant to the provisions of RCW 19.146.220, RCW
4 19.146.221, RCW 19.146.223, and RCW 19.146.230, and is subject to the provisions of chapter
5 34.05 RCW (The Administrative Procedure Act). Respondent may make a written request for a
6 hearing as set forth in the NOTICE OF OPPORTUNITY FOR HEARING accompanying this
7 Statement of Charges.

8
9 Dated this 19th day of September, 2024.





ALI HIGGS, Director
Division of Consumer Services
Department of Financial Institutions

Presented by:



LAURA J. DRABANDT
Financial Legal Examiner

Approved by:



JAMES R. BRUSSELBACK
Acting Enforcement Chief

Reviewed by:



DREW STILLMAN
Financial Legal Examiner Supervisor