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DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
DIVISION OF FINANCE AND CORPORATE SECURITIES  
BEFORE THE DIRECTOR OF THE DEPARTMENT  
OF CONSUMER AND BUSINESS SERVICES  
STATE OF OREGON

In the Matter of: )  
)  
GARRETT JOHN SYTSMA and ALL )  
SEASONS MORTGAGE SERVICES, )  
INC., )  
Respondents. )

M-04-0004

ORDER TO REVOKE MORTGAGE  
BANKER/BROKER LICENSE OF ALL  
SEASONS MORTGAGE SERVICES, INC.,  
ORDER TO BAR GARRETT JOHN SYTSMA  
FROM LOAN ORIGATION ACTIVITY,  
ORDER TO IMPOSE CIVIL PENALTIES, AND  
CONSENT TO ENTRY OF ORDER

11 WHEREAS the Director of the Department of Consumer and Business Services  
12 (hereinafter, "the Director") has conducted an investigation of certain business activities  
13 conducted by Respondents Garrett John Sytsma and All Seasons Mortgage Services, Inc.  
14 and has determined that Respondents Garrett John Sytsma and All Seasons Mortgage  
15 Services, Inc. have violated provisions of the Oregon Mortgage Lender Law, ORS 59.840  
16 to 59.980; and

17 WHEREAS the parties wish to resolve and settle these matters;

18 NOW THEREFORE, as evidenced by the authorized signatures subscribed on this  
19 Order, Respondents Garrett John Sytsma and All Seasons Mortgage Services, Inc. hereby  
20 CONSENT to entry of this Order upon the DIRECTOR'S Findings of Fact and Conclusions  
21 of Law as stated hereinafter.

FINDINGS OF FACT

22 The Director FINDS that:

043004-031-003-001-0500-000005

23 1. All Seasons Mortgage Services, Inc. (hereinafter, "All Seasons") is a mortgage  
24 broker that is licensed in Oregon, with a principal place of business at 1051 NE 4th Street,  
25 Bend, Oregon 97701. The Oregon mortgage banker/broker license number for All  
26

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Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
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1 Seasons is #ML-40.

2       2. Garrett John Sytsma (hereinafter, "Sytsma") is an Oregon resident who resides  
3 at 18040 Fadjur Lane, Sisters, Oregon. Sytsma owns and controls All Seasons. Sytsma is  
4 listed in Oregon as a loan originator employed by All Seasons.

5       3. On August 29, 2002, the Director issued Sytsma and All Seasons a Notice  
6 Order, #O-02-0031-01, proposing to revoke All Seasons' mortgage banker/broker license.  
7 Subsequently, through legal counsel, Sytsma and All Seasons entered into a Consent  
8 Order with the Director to cease and desist from violating the Oregon Mortgage Lender  
9 Law (ORS 59.840-59.980), to pay a civil financial penalty, and to suspend Sytsma from  
10 serving in a managerial capacity at All Seasons or from conducting any mortgage lending  
11 activity in Oregon. The suspension was for a five year period of time.

12       4. The Consent Order, in #O-02-0031, was presented to Sytsma, through his  
13 attorney, on August 19, 2003. Sytsma signed the Corporate Consent to Entry of Order, on  
14 behalf of All Seasons, and the Consent to Entry of Order, on behalf of himself, on  
15 November 12, 2003. Pursuant to the terms of the Consent Order, Sytsma appointed a  
16 putative manager of All Seasons, Maureen Stapp, on November 13, 2003. Sytsma made  
17 the first payment on the civil penalty on October 15, 2003.

18       5. The Director executed the Order to Cease and Desist, Order Assessing  
19 Civil Penalties, Order of Suspension from Mortgage Industry, and Consent to Entry of  
20 Orders, #O-02-0031 (hereinafter, "the Director's Order #O-02-0031") on December 5,  
21 2003.

22       6. The Consent to Entry of Order, signed by Sytsma, states: "...I will fully comply  
23 with the terms and conditions stated herein. I acknowledge that the failure to comply with  
24 the terms of this Order could lead to the revocation of All Season's mortgage lender  
25 license."

26       7. The Director's Order #O-02-0031 states at pp. 7-8: "Respondents Garrett John

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1 Sytsma and All Seasons **FURTHER AGREE AND CONSENT** that should the Director  
2 determine, after notice and an opportunity for a hearing, that either Garrett John Sytsma or  
3 All Seasons have violated any term of this Order, or any provision of the Oregon Mortgage  
4 Lender Law, or Oregon Administrative Rules promulgated under the Oregon Mortgage  
5 Lender Law, the suspended portion of this penalty shall be immediately due and payable  
6 and the mortgage broker license of All Seasons shall be immediately revoked.”

7           1. On pages 6-7, Paragraph 4, of the Director's Order #O-02-0031, the Director  
8 ordered the following: Within thirty days of the entry of this Order, Respondent Garrett  
9 John Sytsma shall transfer his ownership interest in All Seasons to a limited liability  
10 company formed for the purpose of holding and maintaining ownership, possession and  
11 control of the stock in All Seasons.”

12           9. On page 7, Paragraph 5, lines 3-7 of the Director's Order #O-02-0031, the  
13 Director ordered the following: “Respondent Garrett John Sytsma shall have no  
14 management authority or control over the limited liability company (unless both the named  
15 managers resign, die, or become incompetent) and shall have no access to or authority  
16 over client funds.”

17           10. On page 7, Paragraph 6, lines 15-17 of the Director's Order #O-02-0031, the  
18 Director ordered the following: “Respondent Garrett John Sytsma is prohibited from  
19 engaging in any activity or business that comes under the scope of regulation of the  
20 Director pursuant to the Oregon Mortgage Lender Law, ORS 59.840 to 59.980.”

21           11. Sytsma and All Seasons have failed to make any civil penalty payments in  
22 December 2003, January 2004, or February 2004, as required by terms of the Director's  
23 Order #O-02-0031. Sytsma and All Seasons are in default of the Director's Order #O-02-  
24 0031.

25           12. On or about December 11, 2003, Timothy C. Spencer, a financial examiner  
26 employed the Division of Finance and Corporate Securities, conducted an on-site

1 examination of the All Seasons office located at 1051 NE 4<sup>th</sup> Street in Bend, Oregon and  
2 observed that Sytsma "provides direct oversight of the business and is actively engaged in  
3 the mortgage origination business." Specifically, Mr. Spencer observed loan files and rate  
4 sheets on Sytsma's desk.

5 13. Sytsma, on behalf of All Seasons, sent a written response, dated  
6 March 2, 2004, to the Director addressing the examination report prepared by Mr.  
7 Spencer.

8 14. On or about November 13, 14, and 17, 2003, after signing the Director's Order  
9 #O-02-0031, Sytsma signed a total of six checks issued from the All Seasons business  
10 and/or client trust account.

11 15. On or after December 5, 2003, Sytsma visited a potential borrower's home  
12 and offered to negotiate a mortgage loan in Oregon for the potential borrower.

13 16. On or after December 5, 2003, Sytsma visited the office of another mortgage  
14 banker/broker and submitted a written request for the assignment of a potential borrower's  
15 file.

16 17. On or after December 5, 2003, Sytsma contacted an appraiser and ordered the  
17 assignment of an appraisal to All Seasons. Sytsma directed the appraiser to send the final  
18 appraisal document to All Seasons.

#### 19 CONCLUSIONS OF LAW

20 The Director **CONCLUDES** that:

21 1. Sytsma and All Seasons have failed to comply with an Order of the Director,  
22 because Sytsma engaged in an activity or business that comes under the scope of  
23 regulation of the Director pursuant to the Oregon Mortgage Lender Law, ORS 59.840 to  
24 59.980. By failing to comply with an Order of the Director, Sytsma and All Seasons  
25 violated ORS 59.865 and ORS 59.971.

26 2. Sytsma and All Seasons have failed to comply with an Order of the Director,





1 severally, the payment of \$45,000 (forty-five thousand dollars) of which is suspended so  
2 long as Respondents are in full compliance with all terms of this Order; **PROVIDED**  
3 **HOWEVER**, that the suspended portion of the this penalty will be immediately due and  
4 payable upon a determination by the Director that any Respondent has violated any term  
5 of this Order, or any provision of ORS Chapter 59 and Oregon Administrative Rules  
6 Chapter 441. The \$5,000 hereby owed and due is in addition to the \$12,000 balance  
7 currently owed under Order #O-02-0031. The Respondents owe a total of **\$17,000**  
8 Respondents will pay \$2,500 of the civil penalty at the time of execution of this Order, and  
9 will pay the remaining \$14,500 portion of the due and payable civil penalty in monthly  
10 installments of no less than \$2,000 beginning the first month following the date of  
11 execution of this Order. Payments will be due on or before the tenth day of each month. If  
12 Respondents fail to comply with the payment schedule, are late with a monthly payment,  
13 or skip a monthly payment, then the entire unpaid portion of the civil penalty, including but  
14 not limited to, the \$45,000 (forty-five thousand dollars) suspended portion of the civil  
15 penalty in this Order, will become immediately due and payable.

16 The entry of this Order does not limit further remedies that may be available to the  
17 Director under Oregon law.

18 Dated this 29<sup>th</sup> day of April, 2004, at Salem, Oregon.

19  
20   
21 **CORY STREISINGER, DIRECTOR**  
22 **DEPARTMENT OF CONSUMER AND**  
23 **BUSINESS SERVICES**

24 **CONSENT TO ENTRY OF ORDER**

25 I, Garrett John Sytsma, state that I am a resident of the State of Oregon, that I have read  
26 the foregoing Order and that I know and fully understand the contents hereof; that I

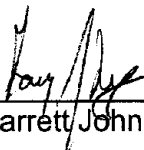
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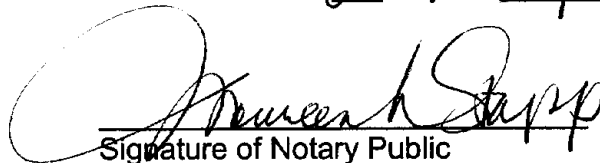
1 execute this consent as a settlement of the matter referred to in the Order; that I have  
2 been advised of my right to a hearing; that I voluntarily consent to the entry of this Order;  
3 that I am voluntarily consenting without any force or duress, expressly waiving any right to  
4 a hearing in this matter; that I understand that the Director reserves the right to take further  
5 actions against me to enforce this Order or to take appropriate action upon discovery of  
6 other violations of the Oregon Mortgage Lender Law by me; and that I will fully comply with  
7 the terms and conditions stated herein. I acknowledge that the failure to timely pay the civil  
8 penalty will make the entire civil penalty due and owing immediately.

9 I understand that this Consent Order is a public document.

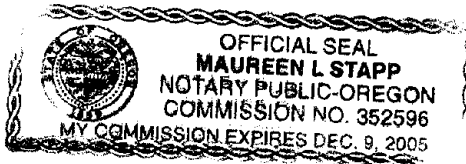
10 Dated this 29<sup>th</sup> day of April, 2004.

11  
12   
13 \_\_\_\_\_  
Garrett John Sytsma

14 SUBSCRIBED AND SWORN to before me this 29<sup>th</sup> day of April,  
15 2004.

16   
17 \_\_\_\_\_  
Signature of Notary Public

18 Maureen L. Stapp  
19 \_\_\_\_\_  
(Printed Name of Notary Public)



20 Notary Public  
21 for the State of: Oregon  
22 My commission expires: 12/9/2005

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23 **CORPORATE CONSENT TO ENTRY OF ORDER**

24 [for Garrett John Sytsma on behalf of All Seasons  
25 Mortgage Services, Inc. ("All Seasons")]

26 I, Garrett John Sytsma, state that I am \_\_\_\_\_ (office held) of All Seasons

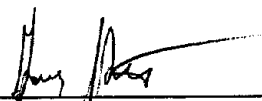
1 and I am authorized to act on its behalf; that I have read the foregoing Order and that I  
2 know and fully understand the contents hereof; that I and this entity have been advised of  
3 the right to a hearing and of the right to be represented by counsel in this matter; that All  
4 Seasons voluntarily consents to the entry of this Order; that I voluntarily consent without  
5 any force or duress, expressly waiving any right to a hearing in this matter; that I  
6 understand that the Director reserves the right to take further actions against All Seasons  
7 to enforce this Order or to take appropriate action upon discovery of other violations of the  
8 Oregon Mortgage Lender Law by the company; and that All Seasons will fully comply with  
9 the terms and conditions stated herein.

10 All Seasons acknowledges that the failure to timely pay the civil penalty will make  
11 the entire civil penalty due and owing immediately.

12 All Seasons understands that this Consent Order is a public document.

13 Dated this 29<sup>th</sup> day of April, 2004.

14 ALL SEASONS MORTGAGE SERVICES, INC.

15  
16 By   
Garrett John Sytsma  
17 Administrator  
18 (Office Held)

19  
20 **CORPORATE ACKNOWLEDGMENT**

21 There appeared before me this 29<sup>th</sup> day of April, 2004, Garrett John Sytsma, who  
22 was first duly sworn on oath, and stated that he is or was Administrator (office held)  
23 of All Seasons Mortgage Services, Inc., and that he is authorized and empowered to sign

24 ///

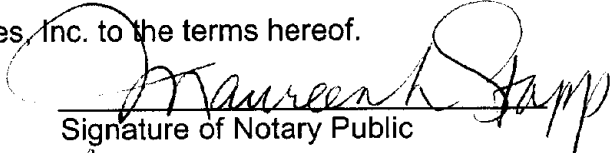
25 ///

26 ///

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1 this Consent to Entry of Order on behalf of All Seasons Mortgage Services, Inc., and to  
2 bind All Seasons Mortgage Services, Inc. to the terms hereof.

3 

Signature of Notary Public

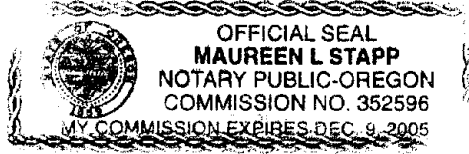
4 Maureen L. Stapp  
5 (Printed Name of Notary Public)

6 Notary Public  
7 for the State of:

Oregon

8 My commission expires:

12/9/2005



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