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**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE  
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF FINANCE, CONSUMER FINANCE BUREAU,	)	
	)	Docket No. 2010-16-56
Complainant,	)	
	)	<b>DEFAULT ORDER TERMINATING</b>
vs.	)	<b>IDAHO MORTGAGE LOAN</b>
	)	<b>ORIGINATOR LICENSE</b>
ANDREW SIVILAY,	)	
	)	
Respondent.	)	
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ANDREW SIVILAY, Respondent herein, having been duly served with process, and having failed to appear and plead to or answer the Complaint filed in the above-captioned administrative action in the manner required by law, and the legal time for answering having expired;

NOW, THEREFORE, THE DIRECTOR OF THE STATE OF IDAHO, DEPARTMENT OF FINANCE HEREBY FINDS that ANDREW SIVILAY has failed to meet the requirements of the Idaho S.A.F.E. Act, Idaho Code §§ 26-31-301 through 26-31-321, by the deadline of July 31, 2010 set forth in Idaho Code § 26-31-304(2)(a);

BASED ON THE FOREGOING, THE DIRECTOR HEREBY ORDERS that Idaho Mortgage Loan Originator License No. MLO-11411 issued to ANDREW SIVILAY is HEREBY TERMINATED, EFFECTIVE IMMEDIATELY. Such termination does not constitute a revocation of the license.

DATED this 26<sup>th</sup> day of October, 2010.



STATE OF IDAHO  
DEPARTMENT OF FINANCE

A handwritten signature in black ink, appearing to read "Gavin M. Gee", is written over a horizontal line.

GAVIN M. GEE, Director

**NOTICE**

This Order is a Final Order of the Director. In accordance with Idaho Code § 67-5246, the Respondent is hereby notified of his right to file with the Idaho Department of Finance (Department) a motion for reconsideration of this order within fourteen (14) days of the issuance of this order. The motion for reconsideration shall be served on:

Michael Larsen  
Consumer Finance Bureau Chief  
Idaho Department of Finance  
P.O. Box 83720  
Boise, Idaho 83720-0031

A copy of the motion for reconsideration shall also be served on the Department's counsel in this matter, A. René Martin, Deputy Attorney General, at the following address:

A. René Martin  
Deputy Attorney General  
Department of Finance  
P.O. Box 83720  
Boise, Idaho 83720-0031

Any hearing and subsequent proceedings in this matter will be conducted in accordance with the Idaho Administrative Procedure Act, Idaho Code § 67-5201 *et seq.*

If the Respondent timely files a motion for reconsideration, the Department will dispose of such motion within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law, pursuant to Idaho Code § 67-5246(4).

If a hearing is held on the Respondent's motion for reconsideration, the Respondent will be notified of the date, time, and place of the hearing, as well as the name of the presiding officer. At such hearing, the Respondent will be entitled to enter an appearance, introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceedings. The Respondent may also be represented by legal counsel at his own expense.

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal from such order to the district court by filing a petition in the district court of the county in which:

- a. a hearing was held;
- b. the final agency action was taken;
- c. the party seeking review of the order resides; or
- d. the real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days: (a) of the issuance of this Order, or (b) of the issuance of an order denying a motion for reconsideration in the event such motion is made. Idaho Code § 67-5273(2). The filing of an appeal to the district court does not itself stay the effectiveness of enforcement of the order being appealed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 26 day of Oct, 2010, I served a true and correct of the foregoing DEFAULT ORDER TERMINATING IDAHO MORTGAGE LOAN ORIGINATOR LICENSE on the following by the designated means:

Andrew Sivilay  
2593 S. Kerr Place  
Boise, ID 83705

- U.S. Mail, postage prepaid
- Certified mail
- Facsimile: \_\_\_\_\_
- Email: \_\_\_\_\_

*Prudent*  
Paralegal