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7 **STATE OF WASHINGTON**
8 **KING COUNTY SUPERIOR COURT**

9 In Re:

NO.

10 GODSEND SECURITY FUNDING, INC.;
11 APRIL LANE; and JOEL SEVERSON,

PETITION FOR ORDER APPROVING
ENTRY OF ASSURANCE OF
DISCONTINUANCE

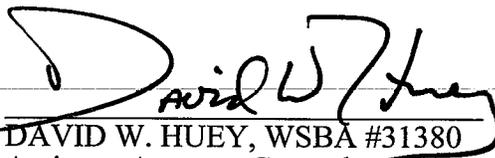
12 Respondents.

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14 COMES NOW, State of Washington, by and through its attorneys, Robert M. McKenna,
15 Attorney General, and David W. Huey, Assistant Attorney General and petitions this court for an
16 Order Approving Entry of Assurance of Discontinuance pursuant to RCW 19.86.100.

17 DATED this 14th day of July, 2009.

18 Presented by:

19 ROBERT M. MCKENNA
20 Attorney General

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22 DAVID W. HUEY, WSBA #31380
23 Assistant Attorney General
24 Attorneys for State of Washington
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**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

<p>In Re:</p> <p>GODSEND SECURITY FUNDING, INC.;</p> <p>APRIL LANE; and JOEL SEVERSON,</p> <p style="text-align: center;">Respondents.</p>	<p>NO.</p> <p>ORDER APPROVING ENTRY OF ASSURANCE OF DISCONTINUANCE</p>
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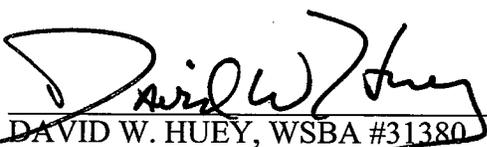
Pursuant to RCW 19.86.100, which authorizes the Attorney General to accept an assurance of discontinuance in the enforcement of the Consumer Protection Act, the Court hereby approves and orders entry of the Assurance of Discontinuance in this matter.

DATED this ____ day of July, 2009.

JUDGE/COURT COMMISSIONER

Presented by:

ROBERT M. MCKENNA
Attorney General



DAVID W. HUEY, WSBA #31380
Assistant Attorney General
Attorneys for State of Washington

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7 **STATE OF WASHINGTON**
8 **KING COUNTY SUPERIOR COURT**

9 In Re:

10 GODSEND SECURITY FUNDING, INC.;
11 APRIL LANE; and JOEL SEVERSON,

12 Respondents.

NO.

ASSURANCE OF
DISCONTINUANCE

13 The State of Washington, by and through its attorneys, Robert M. McKenna, Attorney
14 General, and David W. Huey, Assistant Attorney General, files this Assurance of
15 Discontinuance pursuant to RCW 19.86.100.

16 **I. RESPONDENTS**

17 **1.1** Respondent Godsend Security Funding, Inc. is a currently inactive Washington
18 corporation that has conducted business within the State of Washington.

19 **1.2** Respondent April Lane is a resident of King County, Washington.

20 **1.3** Respondent Joel Severson is a resident of King County, Washington.

21 **II. INVESTIGATION**

22 **2.1** The Attorney General initiated an investigation into the business practices of
23 the Respondents, Godsend and its two principals, Lane and Severson.
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1 **2.2** Respondents were engaged in the business of identifying and purchasing
2 properties in foreclosure in the State of Washington. Specifically, the Respondents made
3 contact with certain Washington homeowners facing foreclosure and offered them a real estate
4 transaction involving a sale of the property to a third party investor arranged by Respondents
5 with a leaseback to the homeowner and an option to repurchase the property for a price and at
6 a time stipulated in the option. The Respondents based the transactions they offered on a
7 model taught at a real estate seminar they attended in Seattle, Washington that was presented
8 by Creative Capital Networks, a company based in Portland, Oregon.

9
10 **2.3** Respondents represent to the Attorney General that they engaged in 18 real
11 estate transactions of the type described above, as more fully set forth in their attorney's letter
12 to the Attorney General, dated August 27, 2008. This representation is material to the
13 Attorney General's willingness to accept this Assurance of Discontinuance to resolve this
14 matter.

15 **2.4** Respondents further represent that they are no longer engaged in the
16 business described above in paragraph 2.2.

17 **2.5** The Attorney General deems and Respondents acknowledge that the following
18 are unfair or deceptive acts or practices, in violation of the Unfair Business Practices –
19 Consumer Protection Act, chapter 19.86 RCW (but Respondents do not admit that they
20 engaged in such unfair or deceptive acts or practices):

- 21
22 (a) To solicit financially distressed and unsophisticated Washington homeowners
23 facing the imminent threat of foreclosure for the purpose of offering a sale/leaseback
24 with option to repurchase type of real estate transaction without fully disclosing the
25 true nature and inherent risks of the transaction, including the difficulties a homeowner
26

1 in serious default on a home mortgage is likely to experience obtaining financing to
2 exercise an option to repurchase.

3 (b) To mislead homeowners affirmatively and by omission by suggesting that one
4 is acting on behalf of the best interests of the homeowner when in truth and in fact one
5 is serving one's own interests and those of one's investor-partners.

6 (c) To unfairly and deceptively manipulate the purchase price, option price and
7 rental payment in sale/leaseback with option to purchase type real estate transaction
8 with a distressed homeowner so as to receive excessive compensation and to permit
9 one's investor-partner to unfairly acquire ownership of the homeowner's property at a
10 below market price.

11 (d) To make representations to homeowners that contradict written disclosures in
12 documents presented to the homeowner for signature at closing.

13 (e) To request sellers of real estate to agree to conceal the fact of the sale of
14 mortgaged property from the mortgage lender so as to prevent the lender from
15 exercising the due on sale clause.

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18 **III. ASSURANCE OF DISCONTINUANCE**

19 **3.1** Respondents agree not to engage in any of the practices described in 2.5.

20 **3.2** This Assurance of Discontinuance shall not be considered an admission of
21 violation of the Consumer Protection Act, or anything else, for any purposes, but failure to
22 comply with this Assurance of Discontinuance shall be *prima facie* evidence of violations of
23 RCW 19.86.020, thereby placing upon the Respondents the burden of defending against
24 imposition by the Court of injunctions, restitution, and civil penalties of up to \$2,000.00 per
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1 APPROVED IN OPEN COURT THIS _____ day of _____, 2009.

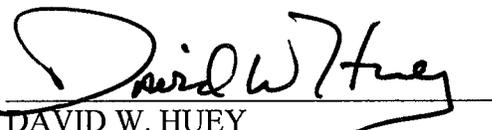
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JUDGE/COURT COMMISSIONER

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6 Approved for Entry and Presented by:

Agreed to, Approved for Entry, Notice of
Presentation Waived:

7 ROBERT M. MCKENNA
8 Attorney General

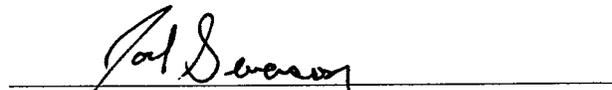
SAVITT & BRUCE LLP

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11 DAVID W. HUEY
12 WSBA #31380
13 Assistant Attorney General
14 Attorneys for State of Washington
15 Date: 7/14/09

16 TRICIA S. BOERGER
17 WSBA #38581
18 Attorney for Respondents Godsend Security
19 Funding, Inc.; April Lane; and Joel Severson
20 Date: 7/10/09

21
22 
23 _____
24 JOEL SEVERSON
25 Date: 7/10/09

26


APRIL LANE
Date: 7-10-2009