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

In re Mortgage Loan Originator  
License Application of:

NATALIE RENEE COOKE,  
NMLS ID No. 1394514,

Applicant.

Docket No. 2019-16-14

**NOTICE OF INTENT TO ISSUE ORDER OF  
DENIAL OF MORTGAGE LOAN  
ORIGINATOR LICENSE APPLICATION**

**AND**

**NOTICE OF THE OPPORTUNITY TO  
REQUEST A HEARING**

The Director of the Idaho Department of Finance (Director), pursuant to the Idaho Residential Mortgage Practices Act, Idaho Code § 26-31-101 *et seq.* (the Act), and in particular §§ 26-31-306(1)(d), 26-31-306(1)(h) and 26-31-313(1)(b) of the Act, hereby issues the following Notice of Intent to Issue Order of Denial of Mortgage Loan Originator License Application and Notice of the Opportunity to Request a Hearing.

Pursuant to Idaho Code § 26-31-305(6), NATALIE RENEE COOKE (the Applicant) has the right to a hearing on the question of her qualifications, but to do so she must make a written request for a hearing within fifteen (15) days after the date of mailing of this Notice. If the written request is not timely made, the Director shall issue a Final Order of Denial of Mortgage Loan Originator License Application.

The Notice is based on the following:

**MATTERS ASSERTED**

1. The Applicant, a resident of the state of California, applied for an Idaho Mortgage Loan Originator license by filing a Form MU4 through the online Nationwide Mortgage Licensing System and Registry (NMLSR) on February 28, 2019.
2. The application Form MU4, seeks information about an applicant's qualifications to be licensed as a mortgage loan originator. Section 6 of the application form is entitled "Disclosure Questions" and it consists of a series of questions that inquire into an applicant's history regarding financial, criminal, civil, judicial and regulatory matters. Pertinent to the Applicant's qualifications is question (A)(3), which reads, "Have you been the subject of a foreclosure action within the past 10 years?"
3. The Applicant responded with a "no" to this question.
4. As with all application reviews, a Department examiner conducted an assessment of the Applicant using various sources of public information to determine if the applicant demonstrates sufficient financial responsibility, character, and general fitness in order to be

licensed as a mortgage loan originator.<sup>1</sup> The examiner found a relevant omission in the Applicant's responses to the disclosure questions.

5. The examiner obtained a public records background information report through LexisNexis. These records revealed that the Applicant gave a misleading response regarding the foreclosure question because she had actually been the subject of a foreclosure action within the last 10 years.

6. The Applicant's property located at 910 Payette Drive in Corona, California, was sold at a foreclosure sale on July 28, 2009, to Gmac Mortgage, LLC.

7. The Applicant made a material misstatement in her application by stating that she had not been the subject of a foreclosure action within the last 10 years, when the property she owned was foreclosed upon in July 2009.

#### **LEGAL CONCLUSIONS**

8. Paragraphs 1 through 7 above are fully incorporated herein by this reference.

9. Idaho Code § 26-31-304 provides that an individual shall not engage in the business of a mortgage loan originator without first obtaining, and maintaining annually, a license.

10. Idaho Code § 26-31-305(1) provides that an applicant for a mortgage loan originator license must apply through the Nationwide Mortgage Licensing System and Registry (NMLSR), in a form required by the Director.

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<sup>1</sup> Conducted pursuant to Part 3 of the Act titled "The Idaho Secure and Fair Enforcement for Mortgage Licensing Act" (Idaho S.A.F.E. Mortgage Licensing Act), Idaho Code § 26-31-305.

11. Pursuant to Idaho Code § 26-31-306(1)(h), before an application for license can be approved, the Applicant must provide all information on the application.

12. Idaho Code § 26-31-306(1)(d) provides that the Director shall not issue a mortgage loan originator license under the Act unless the Director makes a finding that the Applicant has demonstrated financial responsibility, character and general fitness sufficient to command the confidence of the community and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of the Act.

13. Pursuant to Idaho Code § 26-31-313(b), the Director may deny a license if an applicant withholds information or makes a material misstatement in an application for a license.

14. The Applicant made material misstatements of fact in her application, which is grounds to deny her application for licensure. She indicated that there were no foreclosure actions of record in the last 10 years with respect to any property she owned. However, as described in above, the Applicant had a parcel of property she owned foreclosed upon. This material misstatement by the Applicant prohibits the Director from issuing a license to the Applicant pursuant to Idaho Code § 26-31-306(1)(h).

15. The Director finds it appropriate to deny the application because the Applicant's failure to disclose on the Form MU4 the foreclosure action demonstrates that the Applicant lacks the appropriate character and fitness sufficient to command the confidence of the community and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of the Act. Because the Director cannot make the requisite findings under Idaho Code § 26-31-306(1)(d), it is appropriate to deny the Applicant's request for an Idaho mortgage loan originator license, pursuant to Idaho Code § 26-31-313.

**NOTICE OF THE OPPORTUNITY TO REQUEST A HEARING**

16. The Applicant is HEREBY NOTIFIED that the foregoing NOTICE OF INTENT TO ISSUE ORDER OF DENIAL OF MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION will become a final order of the Director, unless the Applicant timely submits a request for hearing pursuant to Idaho Code § 26-31-305(6)(a). Such request for a hearing must be in writing and submitted to the Department within fifteen (15) days after the service of this NOTICE. A copy of the request for contested case and hearing shall be served on Anthony Polidori, Consumer Finance Bureau Chief, at the following address:

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

Alternatively, the Applicant may email the request for hearing to: [CFLegal@finance.idaho.gov](mailto:CFLegal@finance.idaho.gov).

A copy of the request for contested case and hearing shall also be served on the Department's counsel in this matter, Brian D. Nicholas, Deputy Attorney General, at the same address.

17. If the Applicant timely requests a hearing, the Department will notify the Applicant of the date, time and place of the hearing, as well as the name and contact information of the presiding officer.

18. 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.*


19. Alternatively, the Applicant can withdraw the application she submitted on February 28, 2019. If the Applicant withdraws the application before the deadline to submit a request for a hearing, the Department will not issue a Final Order of Denial of Mortgage Loan

Originator License Application. The Applicant can then submit a new complete application, which will be reviewed by the Department.

DATED this 20th day of March, 2019.



STATE OF IDAHO  
DEPARTMENT OF FINANCE

  
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MARY E. HUGHES, Acting Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20<sup>th</sup> day of March, 2019, I caused a true and correct fully-executed copy of the foregoing NOTICE OF INTENT TO ISSUE ORDER OF DENIAL OF MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION AND NOTICE OF THE OPPORTUNITY TO REQUEST A HEARING to be served on the following by the designated means:

Natalie Renee Cooke  
4003 Cedarwood Ct  
Brea, CA 92886

- U.S. mail, postage prepaid
- certified mail
- facsimile \_\_\_\_\_
- email: ncooke@stearns.com

  
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Paralegal