

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

In re Escrow Agency Application of:

FYNTEX, INC.,

Applicant.

Docket No. 2026-18-01

**ORDER DENYING APPLICATION  
FOR IDAHO ESCROW AGENCY  
LICENSE AND NOTICE OF THE  
RIGHT TO A HEARING**

The State of Idaho, Department of Finance (“Department”), being authorized and directed to administer the Idaho Escrow Act, Idaho Code § 30-901 *et seq.* (“Act”), hereby makes the following findings of fact and conclusions of law which constitute a basis for Denial of the Idaho Escrow Agency License Application (“Application”) submitted by FYNTEX, INC. (“Applicant”), and gives Notice of the Right to a Hearing.

**FINDINGS OF FACT and CONCLUSIONS OF LAW**

1. The Applicant is a California Stock Corporation originally formed on April 3, 2018.
2. On November 26, 2024, the Applicant submitted an application for an Idaho Escrow Agency License.
3. As part of its application, the Applicant identified that it intended to offer 1031 exchange facilitation. The Applicant also identified Dean Senner as its Chief Executive Officer, and Thomas Bottenberg as its Executive Vice President. Mr. Bottenberg was identified as the person authorized to answer questions pertaining to the Application.
4. The Department found the Application was incomplete at the time of its submission.
5. On December 3, 2024, the Department contacted the Applicant via email and provided a list of 10 items that were missing from the Application.

6. On December 3, 2024, the Applicant resolved 3 of the 10 deficiencies and committed to resolving the remaining items “right away.”

7. By January 30, 2025, the Department had not received anything from the Applicant and so the Department emailed them and requested an update by February 28, 2025. The Applicant acknowledged the request.

8. On March 3, 2025, the Applicant sent an email to the Department identifying technology issues as the basis for the delay in responding and requested a reminder of the company’s application deficiencies. On March 4, 2025, the Department emailed the Applicant the list of deficiencies.

9. On October 24, 2025, the Application remained incomplete and so the Department sent correspondence via e-mail and certified mail to the Applicant requesting that they complete their escrow application within 30 days and further advising that, if the Applicant failed to complete or withdraw their escrow application by November 24, 2025, the Department would initiate denial proceedings on the Applicant’s application.

10. On November 7, 2025, the Department became aware that the October 24, 2025, letter sent via certified mail failed to be delivered due to “No Authorized Recipient Available,” and would be returned by the US Postal Service.

11. On November 7, 2025, the Department emailed the letter to Mr. Senner. The email communicated that the due date for providing a response would be extended to December 8, 2025. Outlook showed the email was delivered to Mr. Senner and two other contacts on file with the Department.

12. To date, the Applicant has not communicated further with the Department to resolve the application’s deficiencies or to request to withdraw its Application.

13. Idaho Code § 30-907(1) provides that:

The director shall receive and act upon all applications for licenses to engage in business as an escrow agency under this chapter. If the director finds that all requirements of statute and rule have been met and all applicable fees paid, and the applicant is not otherwise unqualified for licensure, the director shall issue a license to the applicant.

Without a complete license application, the Department cannot make a finding that all the requirements of the statute and rule have been met.

14. Idaho Code § 30-907(3) provides that “[A]n application for an escrow license under this chapter may be denied if the director finds that” any of the provisions of Idaho Code § 30-907(3)(a) through (f) are met.

15. Idaho Code § 30-907(3)(b) provides that an application may be denied if:

Any incorporator, officer, director, member, general partner, employee, or agent of the escrow agency applicant has been convicted of, or received a withheld judgment for any crime or act involving dishonesty, fraud or deceit, which crime or act is substantially related to the qualifications, functions, or duties of a person engaged in an escrow business or which crime is otherwise deemed relevant in accordance with section 67-9411(1), Idaho Code;

Without a complete license Application, the Department cannot complete the requisite background screenings of the Applicant’s officers to see whether the Applicant complies with Idaho Code § 30-907(3)(b).

16. Idaho Code § 30-907(3)(d) provides that an application may be denied if “[T]he applicant or any officer, director, member, general partner, employee or agent of the applicant has demonstrated lack of fitness to transact escrow business. The Applicant has demonstrated a lack of fitness to transact escrow business based on its incomplete application.

17. Idaho Code § 30-907(3)(f) provides that:

The applicant, any officer, director, member, general partner or any person owning or controlling, directly or indirectly, ten percent (10%) or more of the outstanding equity

securities of the applicant has violated any provision of this chapter or rules promulgated thereunder, or any similar regulatory scheme in this state or in any foreign jurisdiction.

The Applicant has violated the provisions of Idaho Code § 30-907(3)(f) by failing to complete its application. In so doing, the Department is unable to find “that all requirements of statute and rule have been met” and the Applicant is qualified for licensure pursuant to Idaho Code § 30-907(1).

Accordingly, the Department concludes that the Applicant failed to provide seven out of the ten requests for information; the Department is unable to make necessary findings as provided in Idaho Code § 30-907(1) and (3); and the Applicant demonstrates a lack of fitness to transact escrow business in Idaho pursuant to Idaho Code § 30-907(3)(d).

### **ORDER**

**NOW, THEREFORE, BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND PURSUANT TO IDAHO CODE §§ 30-907 AND 30-918, IT IS HEREBY ORDERED THAT THE APPLICATION BY THE APPLICANT, FYNTEX, INC., FOR AN IDAHO ESCROW AGENCY LICENSE IS HEREBY DENIED.**

### **NOTICE OF THE RIGHT TO A HEARING**

A hearing will be granted to the Applicant if a written request for a hearing is received by the Department within fifteen (15) days of the service date of this order.

The written request may be submitted by email to [Jennifer.Biretz@finance.idaho.gov](mailto:Jennifer.Biretz@finance.idaho.gov) and mailed to the following address:

Idaho Department of Finance  
Securities Bureau  
Attn: Jennifer Biretz  
P.O. Box 83720  
Boise, Idaho 83720-0031

A copy of the request may be copied to the Department’s counsel, Deputy Attorney General, at [erick.shaner@ag.idaho.gov](mailto:erick.shaner@ag.idaho.gov).

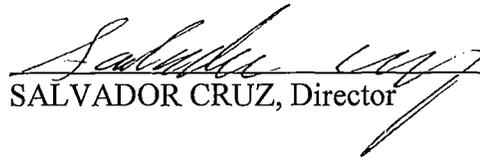
If a hearing is timely requested, the Department will assign the contested case proceeding to the Office of Administrative Hearings pursuant to I.C. § 67-5280(2)(a). Proceedings will be conducted in accordance with the Idaho Administrative Procedure Act, I.C. §§ 67-5201 *et seq.* and the Idaho Rules of Administrative Procedure (IDAPA 62.01.01).

**IT IS SO ORDERED.**

DATED this 5<sup>th</sup> day of March, 2026.



STATE OF IDAHO  
DEPARTMENT OF FINANCE

  
SALVADOR CRUZ, Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of March, 2026, I served a true and correct copy of the foregoing ORDER DENYING APPLICATION FOR IDAHO ESCROW AGENCY LICENSE and NOTICE OF THE RIGHT TO A HEARING on the following by the designated means:

Dean Senner  
FYNTEX, INC.  
20 S. Santa Cruz Ave., Ste. 208  
Los Gatos, CA 95030

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email: [dsenner@fyntex.com](mailto:dsenner@fyntex.com)

FYNTEX, INC.  
c/o Registered Agents Inc.  
784 S. Clearwater Loop, Suite R  
Post Falls, Idaho 83854

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email:

  
\_\_\_\_\_  
Examiner/Investigator