

RAÚL R. LABRADOR
ATTORNEY GENERAL

JAMES J. SIMERI
Chief, Consumer Protection Division

MATTHEW L. MAURER, ISB No. 12575
Lead Deputy Attorney General
954 W. Jefferson Street, 2nd Floor
Boise, Idaho 83702
Telephone: (208) 332-3556
Facsimile: (208) 334-4151
Email: matthew.maurer@ag.idaho.gov
Attorneys for the Department of Finance

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

In re Mortgage Loan Originator License
Application of:

DANIEL ALAN LAVINDER,
NMLS ID No. 1962750,

Applicant.

Docket No. 2026-10-16

**ORDER DENYING MORTGAGE
LOAN ORIGINATOR LICENSE
APPLICATION AND**

NOTICE OF RIGHT TO A HEARING

The Director of the State of Idaho, Department of Finance (“Department”), pursuant to the Idaho Secure and Fair Enforcement for Mortgage Licensing Act, Idaho Code (“I.C.”) §§ 26-31-301, *et seq.* (the “Act”), hereby issues this Order as to Daniel Alan Lavinder (“Applicant”).

The Applicant is entitled to a hearing on his qualifications for a license, if a request is made within fifteen (15) days of service of this order. If a request for a hearing is not made within the prescribed period, this order will become final.

FINDINGS OF FACT

1. The Applicant, a resident of the state of Idaho, applied for an Idaho Mortgage Loan Originator (“MLO”) license through the online Nationwide Multistate Licensing System and

Registry (“NMLS”) under NMLS No. 1962750. The Applicant attested to the information provided and submitted the application on January 20, 2026.

2. The application Form MU4 seeks information on an applicant’s qualifications to be licensed as an MLO, and the “Disclosure Questions” section specifically requests information pertaining to an applicant’s financial, criminal, civil, judicial, and regulatory history.

3. In response to disclosure question (D), “Do you have any unsatisfied judgments or liens against you?” the Applicant responded, “Yes,” disclosing potential judgments although there were no supporting documents submitted.

4. As part of its regular application review under I.C. § 26-31-316, the Department obtained a public records background check through LexisNexis on February 3, 2026, to determine the Applicant’s fitness to be licensed.

5. The report showed two Oregon State tax liens recorded in the Washington County Recorder’s Office as follows:

- a. Oregon Department of Revenue Tax Lien (Distraint Warrant) for \$15,184.40, recorded on September 11, 2018, as Instrument Number 2018-062579.
- b. Oregon Department of Revenue Tax Lien (Distraint Warrant) for \$14,578.77, recorded on December 14, 2018, as Instrument Number 2018-083997.

6. While reviewing documents from Washington County, a 2009 lien of the Applicant was discovered which was renewed in 2019 under Instrument Number 2019-069095 recorded on October 3, 2019 for \$13,419.79.

7. On February 6, 2026, the Department informed the Applicant that it had obtained Oregon State tax liens information that required disclosure on the Form MU4. The Department provided notice of its intent to deny the application in four (4) weeks based on an inaccurate

application, unless the Applicant could provide documentation showing the Oregon State tax liens were not subject to disclosure because they were resolved prior to the application date. The Applicant was also provided the opportunity to withdraw the application.

8. On February 9, 2026, the Department responded to a status inquiry email from the Respondent informing him of the Intent to Deny his license application with the state of Idaho, which had already been posted on the NMLS website. From that time on, no action was taken by the Applicant.

9. Based upon its investigation, the Department has concluded that the Oregon State tax liens against the Applicant described above has not been satisfied.

FINDINGS AND CONCLUSIONS OF LAW

10. The allegations set forth in paragraphs 1 through 9 above are fully incorporated herein by this reference.

11. I.C. § 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.

12. I.C. § 26-31-305(1) provides that an applicant for a mortgage loan originator license must apply through the NMLSR in a form required by the Director of the Idaho Department of Finance (Director).¹

13. I.C. § 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 an applicant has demonstrated financial responsibility, character, and general fitness sufficient to command the

¹ The original version of the Nationwide Multistate Licensing System and Registry (“NMLS”) was named Nationwide Mortgage Licensing System and Registry (“NMLSR”).

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.

14. Pursuant to I.C. § 26-31-306(1)(h), before an application for license can be approved, an applicant must provide all information on the application as required per I.C. § 26-31-305. I.C. § 26-31-305(10) provides that an applicant shall make complete disclosure of all information required in the application.

15. Pursuant to I.C. § 26-31-313(1)(a) and (b), the Director may deny a license if an applicant violates the Act, withholds information, or makes a material misstatement in an application for a license.

16. The Applicant made a material misstatement of fact in his application by failing to disclose his Oregon State tax liens in the answer to question “D”, which is grounds to deny his application for licensure pursuant to I.C. § 26-31-306(1)(d) and (h) and § 26-31-313(1)(a) and (b).

17. The Director finds that the Applicant’s failure to disclose his Oregon State tax liens on the Form MU4 demonstrates that the Applicant lacks the appropriate character and fitness sufficient to command the confidence of the community and cannot be warranted to operate honestly, fairly, and efficiently within the purposes of the Act.

18. The Director further finds that the Applicant’s failure to disclose his Oregon State tax liens on the Form MU4 constitutes a failure to provide complete information in the application as required by I.C. § 26-31-305.

19. The Director cannot make the requisite findings under I.C. §§ 26-31-306(1)(d) and (h); therefore, it is appropriate to deny the Applicant’s request for an Idaho mortgage loan originator license, pursuant to I.C. § 26-31-313(1).

ORDER

NOW, THEREFORE, BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND PURSUANT TO I.C. §§ 26-31-313(1)(a) and (b), IT IS HEREBY ORDERED THAT THE APPLICATION FOR A MORTGAGE LOAN ORIGINATOR LICENSE ATTESTED TO AND SUBMITTED BY DANIEL ALAN LAVINDER, NMLS # 1962750, ON JANUARY 20, 2026, IS DENIED.

NOTICE

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 erin.vanengelen@finance.idaho.gov or mailed to the following address:

Attn: Erin Van Engelen
Consumer Finance Bureau Chief
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

A copy of the request may be copied to the Department's counsel, Matthew Maurer, Lead Deputy Attorney General, at matthew.maurer@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).

Pursuant to I.C. § 26-31-305(6), if an appeal is made, the Applicant shall reimburse the Director for his reasonable and necessary expenses incurred as a result of the appeal.

IT IS SO ORDERED.

DATED this 24 day of March 2026.



STATE OF IDAHO
DEPARTMENT OF FINANCE

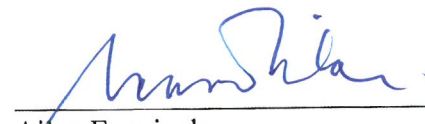

SALVADOR CRUZ, Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of March 2026, I caused a true and correct fully executed copy of the foregoing ORDER DENYING MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION AND NOTICE OF RIGHT TO A HEARING to be served on the following by the designated means:

Daniel Alan Lavinder
2117 S. Trapper Cove Ave.
Boise, ID 83709-8504

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email: daniel.lavinder@yahoo.com


Ailen Evaniuck
Paralegal