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*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:

HEBER MAHONRY MONTOYA,  
NMLS ID No. 1986565,

Applicant.

Docket No. 2026-10-21

**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 denying the mortgage loan originator license application of Heber Mahonry Montoya (“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 Arizona, applied for an Idaho Mortgage

Loan Originator (“MLO”) license through the online Nationwide Mortgage Licensing System and Registry (“NMLS”) under NMLS ID No. 1986565. On April 17, 2026, the Applicant attested to all information contained in the application, and the application was submitted by Trevor Barrett of Barrett Financial Group, LLC on the same date.

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 (K), “Has any State or federal regulatory agency or foreign financial regulatory authority or self-regulatory organization (SRO) ever: ... (9) entered an order concerning you in connection with any license or registration?” the Applicant responded, “No.”

4. As part of its regular application review under I.C. § 26-31-316, the Department reviewed the Regulatory Actions and T&E Investigations section of the Applicant’s NMLS record on April 27, 2026. The record showed a Nebraska Order Granting Conditional Mortgage Loan Originator License (“Nebraska Order”) dated March 23, 2026.

5. The Department obtained a copy of the Nebraska Order. The Nebraska Order was not disclosed in the Applicant’s Form MU4.

6. On April 28, 2026, the Department informed the Applicant that it obtained information of the Nebraska Order which required disclosure on the Form MU4. The Department provided notice of its intent to deny the application in four (4) weeks unless the Applicant provided supporting documents to evidence that disclosure of the information was not required. The Applicant was alternatively provided the opportunity to withdraw the application and re-apply with a new, corrected application. No action was taken by the Applicant by the deadline of May 26,

2026.

7. Based upon its investigation, the Department has concluded that the Nebraska Order described above was not properly disclosed.

### **FINDINGS AND CONCLUSIONS OF LAW**

8. The allegations set forth in paragraphs 1 through 7 above are fully incorporated herein by this reference.

9. 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.

10. 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”).<sup>1</sup>

11. 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 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.

12. Pursuant to I.C. § 26-31-306(1)(h), before an application for license can be approved, an applicant must provide information on the application as required by 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.

13. Pursuant to I.C. § 26-31-313(1)(a) and (b), the Director may deny a license if an

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

applicant violates the Act, fails at any time to meet the requirements of I.C. § 26-31-306, or withholds information or makes a material misstatement in an application for a license.

14. The Applicant made a material misstatement of fact in his application by failing to disclose the Nebraska Order in answering question (K), 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).

15. The Director finds that due to the Applicant's failure to disclose the Nebraska Order on the Form MU4, the Applicant has failed to demonstrate the appropriate character and general fitness sufficient to command the confidence of the community and to warrant a determination that the Applicant will operate honestly, fairly, and efficiently within the purposes of the Act.

16. The Director further finds that the Applicant's failure to disclose the Nebraska Order on the Form MU4 constitutes a failure to provide complete information in the application as required by I.C. § 26-31-305(10).

17. 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 APPLICATION ATTESTED TO BY HEBER MAHONRY MONTOYA NMLS #1986565, ON APRIL 17, 2026, AND SUBMITTED ON HIS BEHALF BY TREVOR BARRETT OF BARRETT FINANCIAL GROUP, LLC, ON THE SAME DATE, 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](mailto: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, Dallin Creswell, Deputy Attorney General, at [dallin.creswell@ag.idaho.gov](mailto:dallin.creswell@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 Idaho Code ("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 10 day of June 2026.



STATE OF IDAHO  
DEPARTMENT OF FINANCE

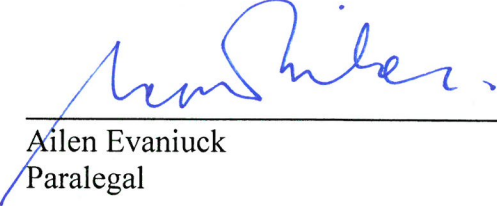
  
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SALVADOR CRUZ, Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11<sup>th</sup> day of June, 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:

Heber Mahonry Montoya  
1760 S. Yucca St.  
Chandler, AZ 85286-6869

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email: [magicmontoya23@gmail.com](mailto:magicmontoya23@gmail.com);  
[heberm@barrettfinancial.com](mailto:heberm@barrettfinancial.com)

  
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Ailen Evaniuck  
Paralegal