

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:

OSCAR MAURICIO MONTOYA,
NMLS ID No. 953725,

Applicant.

Docket No. 2026-10-19

**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 Oscar Mauricio 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 North Carolina, applied for an Idaho Mortgage Loan Originator (“MLO”) license through the online Nationwide Multistate Licensing

System and Registry (“NMLS”) under NMLS No. 953725. The Applicant submitted the application on March 12, 2026, attesting to all information provided therein.

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, “No.”

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 March 17, 2026, to determine the Applicant’s fitness to be licensed.

5. The report showed that the Applicant has a judgment and tax lien as follows:

- a. Capital One Bank U.S.A. NA judgment (Case No. CV-099882-11) for \$1,153.33 filed on July 12, 2012, in the Queens County Civil Court, New York.
- b. New York State Department of Taxation and Finance tax lien (Warrant ID #E-026366076-W010-5) for \$82,895.30, filed on November 16, 2011.

6. Upon reviewing the New York State Department of Taxation and Finance website, the Department discovered another tax lien in the Applicant’s name filed on February 22, 2011 (Warrant ID #E-026366076-W010-8) for \$82,895.30.

7. 6. The judgment and tax liens uncovered by the Department stated above were not disclosed in the Applicant’s Form MU4.

8. On March 23, 2026, the Department informed the Applicant that it had obtained judgment information and tax liens 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 judgment and 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. No action was taken by the Applicant.

9. Based upon its investigation, the Department has concluded that the judgment and tax liens against the Applicant described above were not properly disclosed.

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 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 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.

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

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 material misstatements of fact in his application by failing to disclose his judgment and 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 judgment and tax liens on the Form MU4 demonstrates that the Applicant lacks the appropriate character and fitness sufficient to command the confidence of the community.

18. The Director further finds that the Applicant’s failure to disclose his judgment and tax liens on the Form MU4 constitutes a failure to provide complete information in the application as required by I.C. § 26-31-305(10).

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 OSCAR MAURICIO MONTOYA, NMLS # 953725, ON MARCH 12, 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 a hearing is held, the Applicant shall reimburse the Director for his reasonable and necessary expenses incurred as a result of the hearing.

IT IS SO ORDERED.

DATED this 19 day of May 2026.



STATE OF IDAHO
DEPARTMENT OF FINANCE



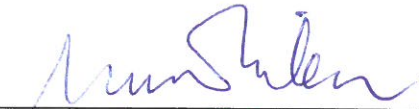
SALVADOR CRUZ, Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May 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:

Oscar Mauricio Montoya
6304 Robinson Church Rd
Charlotte, NC 28215-4034

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email: omnewmlo7@gmail.com;
oscarmontoya@naca.com



Ailen Evaniuck
Paralegal