

THE IDAHO DEPARTMENT OF FINANCE COMPLIANCE CONNECTION



Summer 2022 Issue

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As of June 6, 2022, the Department's
new physical address is:

Idaho Department of Finance
11341 W Chinden, Suite A300
Boise, ID 83714

There are no changes to our existing phone numbers, email addresses, or the USPS mailing address of:

P.O. Box 83720
Boise, ID 83720-0031.

The Department opened the doors of our new location on Monday, June 6, 2022.

Top Consumer Complaints

May 1, 2021 through March 31, 2022

Mortgage Servicing – 46

Mortgage Origination – 15

Consumer Lending – 30

Debt – 42

Other, Non-Financial - 2

Other, Financial – 6

Complaints received within this time-period – 141

Top Complaint Categories in order of prevalence: Deceptive Practices, Disclosures, Unlicensed Activity, Payment Dispute, Advertising Practices, Dispute of Debt/Wrong Customer

Monetary Relief to complainants during this period – \$101, 883

Newsflash for Collection Agency Licensees and Applicants!

New changes are coming your way beginning on July 1, 2022. HB 610 was signed by Governor Brad Little during the Idaho 2022 Legislative Session which created several efficiencies for the debt industry licensees and applicants.

The designation of a Responsible Person in Charge (RPIC), along with the attached experience, reporting requirement and registration fee, has been removed. Added was a provision to allow collection

agencies to collect incidental charges, with some exceptions, included in the contract between the creditor and the debtor. Additionally, the treatment of an incomplete application after 60 days' notice of deficiency has been provided to an applicant has been formally codified into the Idaho Collection Agency Act. Licensees will now have the opportunity to reinstate an expired license under specific circumstances. Finally, HB 610 mandates the license application and renewal processes be conducted through an electronic system of licensing prescribed by the Director. All new applications filed on or after July 1, 2022, will have to be filed through the Nationwide Multistate Licensing System, more commonly known as NMLS. Existing licensees who have maintained their licenses in the "paper" world will have to transition to the NMLS by October 31, 2022. Licenses will expire on December 31 annually. There is no change to the quarterly/annual collection agent reporting requirements.

Be on the lookout for more information this fall. Transition applications are available on NMLS now and the Department encourages "paper" licensees to begin the process as soon as they can. Questions may be directed to collections@finance.idaho.gov.

Did You Know...

- During the period May 1, 2021-March 31, 2022, 81 mortgage loan originator applications were referred for denial *solely due to failure to disclose financial, regulatory and criminal actions*. Truthful and complete disclosures to the application questions allows the Department to work with applicants towards their licensing goals. Lack of disclosure results in false application attestations, application withdrawal or denial orders, loss of fees, potential loss of current and future temporary authority and reputational risk. **It is important to know that most public records, such as liens and judgments, do NOT appear on an individual's credit report and haven't for several years due to a settlement with the credit reporting agencies and multiple States' Attorneys General.** Best practice? Be proactive and conduct public records research before an application or renewal is filed.
- Of the 141 consumer complaints filed between May 1, 2021-March 31, 2022, other than unlicensed activity, the top consumer issues reported are related to general deceptive practices, disclosures, payment disputes, advertising practices and proof of identity issues in attempts of collection.
- Collection agency Agent Reports, due quarterly, cannot be filed for past (overdue) quarters through Access Idaho. Past due reports can only be filed by paper and must be accompanied by a check—credit card and ACH options are not available for delinquent reports.
- The Bureau does not issue paper licenses for any of its license programs and does not require proof of licensure to be posted by the licensee within its offices. All approved license information is displayed on the Department's website at <https://www.finance.idaho.gov/licensee-search/> along with renewal confirmation and other information. Licenses maintained in NMLS may be additionally verified through NMLS Consumer Access at <http://www.nmlsconsumeraccess.org>.
- The Department participated in financial outreach in-person and virtual events that included the Virtual Scam Jam Series, Winter Virtual Scam Jam Series, America Saves Initiative, Financial Literacy Day at Legislature, "OUR Conference" as well as hosting "Insights by IDOF-- Idaho Department of What?", the Department's inaugural podcast available on the Department's YouTube channel, iTunes, and Spotify.



BRAD LITTLE
Governor

PATRICIA R. PERKINS
Director

Contact(s):
Erin Van Engelen
Consumer Finance Bureau Chief
(208) 332-8002

NEWS RELEASE

FOR IMMEDIATE RELEASE

January 20, 2022

STATE REGULATORS SETTLE WITH HUNDREDS OF MORTGAGE LOAN ORIGINATORS OVER SAFE ACT EDUCATION REQUIREMENTS

IDAHO DEPARTMENT OF FINANCE JOINS 41 OTHERS IN MULTI-STATE ENFORCEMENT ACTION

Boise, Idaho... The Idaho Department of Finance, along with financial regulatory agencies from 42 other states, reached settlements with 441 mortgage loan originators nationwide who deceptively claimed to have completed annual continuing education as required under state and federal law.

“When obtaining a home mortgage loan, Idahoans deserve to work with qualified professionals,” stated Patricia Perkins, Director of the Department of Finance, “Through this action, Idaho consumers can feel confident the licensed loan originators they work with have met the necessary education requirements.”

Under the terms of the settlements, the mortgage loan originators agreed to surrender their licenses for a period of three months, pay a fine of \$1,000 for each state in which he or she holds a license and take continuing education beyond Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act) requirements.

Idaho adopted provisions of the federal SAFE Act to enhance consumer protection and reduce fraud through minimum standards for the licensing and registration of state-licensed mortgage loan originators. The standards require mortgage loan originators to have at least 20 hours of pre-licensing education and an annual eight hours of continuing education.

Danny Yen, owner of Carlsbad, Calif.-based course provider Real Estate Educational Services, is facing administrative enforcement actions for both providing false certificates and taking courses on behalf of mortgage loan originators through other education providers in violation of the SAFE Act.

The irregular education activity was discovered through a gesture-driven authentication tool called BioSig-ID, which is used to monitor all online courses approved under the SAFE Act mandate.

Consumers can obtain information about financial firms, professionals or products, as well as view more Department press releases and other information on the Internet at <http://finance.idaho.gov> or by contacting the Department at (208) 332-8000 or Idaho toll-free at 1-888-346-3378.

PROTECTING THE INTEGRITY OF IDAHO FINANCIAL MARKETS SINCE 1905

**IDAHO MORTGAGE LOAN ORIGINATOR LICENSEES IMPACTED BY
THE SAFE ACT EDUCATION REQUIREMENTS MULTI-STATE EN-
FORCEMENT ACTION**

Chad Baker

Michael Barrios

Blake Bianchi

Erik Board

Brian Brown

Jonathan Cave

Andrea Christenot

Larry Clinton

Matthew Cole

Peter DiFerdinand

Robert Drenk

Arthur Greenbaum

Christoffer Groves

Michael Hamalak

Kimberly Hayden

William Hierl

Heather Hill

Haidy Ibrahim

Jitendera Kandola

James Kott

Nathan Kowarsky

Vicki Vincent

Taylor Loop

Mark Lowman II

Brandon Martinez

Troy Moritz

Donald Peart

Casey Peek

Rubin Quintero

Daniel Rhomberg

Isaiah Rodriguez

Steven Rodriguez

Brian Santos

Kelly Schaar

Joseph Shalaby

Ronald Seigel

Montee Skorich

Daniel Smith

Jason Soldati

Samuel Stamper

Misty Stoddart

Shane Stokes

Michael Timoschuk

Christopher Wedge

All individuals are listed with their Nationwide Multistate Licensing System (NMLS) identification numbers. Individual records can be found through NMLS Consumer Access at www.nmlsconsumeraccess.org



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Idaho Department of Finance

Guidance Statement

2021-01-CFB

TELECOMMUTING AND BRANCH LICENSING REQUIREMENTS

Issue Date: December 1, 2021

(Replaces Policy Statement 2020-02-CFB)

I. Background

As a means to accommodate the varied business models used by members of the financial services industry, the Idaho Department of Finance (Department) has allowed individual employees of these companies, who act on behalf of the licensed entity, to perform their work virtually while representing to consumers and borrowers that their activities are conducted solely at the licensed home or branch offices of their employing company. Common aspects of such activity may include engaging in financial services activity on behalf of their employer through internet, email, telephone, or direct mail. In such cases, an employee makes contact with potential applicants or consumers in person, via telephone or email, or through direct mail while, at all times, representing their business location as a licensed office of the individual's employer.

II. Application of Business Location Licensing Requirements to Virtual or Remote Origination Activities

The Idaho Residential Mortgage Practices Act prohibits a mortgage broker/lender from engaging in covered activities at any location for which it does not hold a license.¹ Similarly, the Idaho Credit Code requires a license for each place of business engaged in consumer lending activities in Idaho.² Finally, the Idaho Collection Agency Act requires either licensure or registration of business locations engaged in debt collection activity, credit or debt counseling, debt management or settlement, and credit repair.³

¹ Section 26-31-206(8), Idaho Code.

² Sections 28-46-302(4) and 28-46-402(1), Idaho Code.

³ Sections 26-2223A(1) and 2230, Idaho Code.

Idaho Department of Finance Guidance Statement 2020-02-CFB

THE GUIDANCE IS AN AGENCY INTERPRETATION OF EXISTING LAW AND DOES NOT REPRESENT AN NEW LAW OR LEGAL REQUIREMENT



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Notwithstanding the above, the Department recognizes that trends in the financial services industry, coupled with evolving technologies, provide individual employees ever more opportunities to conduct their work remotely from a non-commercial location, while seamlessly representing the business locations licensed by the Department. Therefore, the Department will not seek to apply business location licensing requirements in instances where an individual employee or the individual's employing company does not indicate that the employee is engaging in activities on behalf of the licensee at any unlicensed location. Practices that would implicate the business location licensing requirements include, but are not limited to, the following:

1. Advertising, or including within any business documents or forms (except in documents used in communications directly between the individual employee and their employer), an address that is not a licensed business location;
2. Advertising, making available to the general public, or including within any business documents or forms (except in documents used in communications directly between the individual employee and their employer), a telephone number in a manner that indicates an employee conducts activities at a place other than a licensed business location (e.g. using a published residential telephone number in promotions);
3. Representing in any manner, directly or indirectly, a location at which activity on behalf of the licensee may occur, if such representation indicates the activity would occur at an unlicensed location, or would mislead a consumer to believe an unlicensed location is an authorized location from which the employee or their employer conducts licensable financial services activity.

While operating remotely, individuals and their employers are also expected to comply with any other provisions of the Acts or of laws and regulations applicable to their business activity. Additionally, individuals and their employers must exercise due diligence in the safeguarding of company and customer data, information and records, whether in paper or electronic format, and to protect them against unauthorized or accidental access, use, modification, duplication, destruction or disclosure.

Idaho Department of Finance Guidance Statement 2020-02-CFB

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III. Summary

The Department believes that the utilization of technology to support remote operations can comply with the Acts, given that employees and their licensed employer meet the aforementioned parameters. Therefore, individual employees may engage in remote work activities without the requirement to license the employee's remote location where the above conditions are met. To ensure the Department has accurate information regarding the practices of entities that utilize remote operations, the Department may require acknowledgement of this Guidance Statement by employers upon receipt of any notice that a licensee is engaged in remote operations.

Contact - You may direct comments or requests for additional information regarding this Guidance Statement to:

Bureau Chief, Consumer Finance Bureau

Idaho Department of Finance

P.O. Box 83720

Boise, Idaho 83720-0031

Telephone: 1-(208)-332-8000

Facsimile: 1-(208)-332-8099

Email: finance@finance.idaho.gov

Idaho Department of Finance Guidance Statement 2020-02-CFB

THE GUIDANCE IS AN AGENCY INTERPRETATION OF EXISTING LAW AND DOES NOT REPRESENT AN NEW LAW OR LEGAL REQUIREMENT

Enforcement Actions May 1, 2021, through March 31, 2022

MORTGAGE LOAN ORIGINATORS

ERIC ROGER BAUER (Cleveland, Ohio) – May 12, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Bauer did not request a hearing on the matter.

DERRICK TRENTON BREW (Irvine, California) – May 24, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action information within the Mortgage Loan Originator License Application. Mr. Brew did not request a hearing on the matter.

CRISTOBAL LARA GARCIA (Dallas, Texas) – May 24, 2021- Order Revoking Mortgage Loan Originator License was issued after licensee failed to timely amend his license application to disclose regulatory actions. The default revocation order resulted from the Mr. Garcia’s failure to file an answer to the Department’s Verified Complaint seeking revocation of his license.

KIRA DIONNE GRIFFIN (San Pedro, California) – May 27, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Griffin did not request a hearing on the matter.

RONALD WADE JAQUES (Boise, Idaho) – June 7, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial and regulatory action information within the Mortgage Loan Originator License Application. Mr. Jaques did not request a hearing on the matter.

ALTONIO LEE TAYLOR (Fontana, California) – June 16, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Taylor did not request a hearing on the matter.

NEIL BAJA DUMATOL (Tustin, California) – June 16, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Dumatol did not request a hearing on the matter.

STEVEN BRANDON SHELBY (Dallas, Texas) – June 16, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Shelby did not request a hearing on the matter.

RODNEY LOUIS SORRENTINO, JR. (Warwick, Rhode Island) – June 28, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Sorrentino did not request a hearing on the matter.

MANUEL ALFREDO BARELA (Las Vegas, Nevada) – June 28, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Barela did not request a hearing on the matter.

JUSTIN JOSEPH ROEK (Meridian, Idaho) – July 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Roek not request a hearing on the matter.

KAIDGE ALEXANDER GANNON (Phoenix, Arizona) – July 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Gannon not request a hearing on the matter.

RENATA VIRGINIA DEOLIVEIRA (Naples, Florida) – July 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. DeOliveira did not request a hearing on the matter.

QUY NGOC HUYNH (Westminster, California) – July 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required civil action information within the Mortgage Loan Originator License Application. Mr. Huynh not request a hearing on the matter.

AMY SUZANNE ESPINOZA (Chandler, AZ) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Espinoza did not request a hearing on the matter.

CRAIG LEE STOVER (Columbus, Ohio) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Stover did not request a hearing on the matter.

SHALYNN MARIE TICKLE (Knoxville, Iowa) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Tickle did not request a hearing on the matter.

MIRCEA CRISTIAN SAUCIUC (Olathe, Kansas) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action information within the Mortgage Loan Originator License Application. Mr. Sauciuc did not request a hearing on the matter.

BRITTANY CORRIN SCOLASE (Bear, Delaware) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Scolase did not request a hearing on the matter.

PHILLIP ANGELO FIORINO (Longs, South Carolina) – July 20, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Fiorino did not request a hearing on the matter.

SAMANTHA HREHOCIK (Delaware, Ohio) – July 20, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Hrehocik did not request a hearing on the matter.

RICHARD KELSEY HILLMAN (Buena Park, California) – July 15, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Hillman did not request a hearing on the matter.

ROBERT EDWARD LEACH (Mableton, Georgia) – July 20, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Leach did not request a hearing on the matter.

RONALD DEVAUGHN JONES (St. Louis, Missouri) – August 5, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Jones did not request a hearing on the matter.

GABRIEL PHILLIP SANCHEZ (Litchfield Park, Arizona) – August 5, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial and civil action information within the Mortgage Loan Originator License Application. Mr. Sanchez did not request a hearing on the matter.

GEORGE GLENN RAYMONDO (Fort Worth, Texas) – August 19, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action information within the Mortgage Loan Originator License Application. Mr. Raymondo did not request a hearing on the matter.

NICHOLAS COOPER (Laguna Hills, California) – August 19, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Cooper did not request a hearing on the matter.

MATTHEW DAVID COLE (Sacramento, California) – August 30, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Cole did not request a hearing on the matter.

YUSHA JOHN SHAFT PRESSLEY (Charlotte, North Carolina) – August 30, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Pressley did not request a hearing on the matter.

CORVI JASON URLING (Lakewood, Washington) – August 19, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Urling did not request a hearing on the matter.

ESTHER COTZAJAY LOZANO (Granada Hills, California) – September 14, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Lozano did not request a hearing on the matter.

SABRINA DAGOSTINO ALT (Heyburn, Idaho) – September 27, 2021- Hearing Officer’s Findings of Fact, Conclusions of Law, and Preliminary Order became a Final Order issued denying the applicant’s mortgage loan originator licensure application. Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity to Request a Hearing was issued April 29, 2021, after applicant failed to disclose required financial information on the licensing application. Ms. Alt contested the denial and an administrative hearing was held on August 9, 2021, in which the hearing officer upheld the denial order.

DANIEL E. BARCHINI (Scottsdale, Arizona) – October 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Barchini did not request a hearing on the matter.

LERON CHARLTON WALKER (Celina, Texas) – October 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Walker did not request a hearing on the matter.

BRENT MICHAEL BECKER (Cleveland, Ohio) – October 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Becker did not request a hearing on the matter.

JARED PATTERSON (Centerburg, Ohio) – October 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Applicant requested a hearing to “dispute” the matter and subsequently entered into a Consent Order with the Department in which applicant agreed that based on information the Department had at the time the Order was entered, there was sufficient cause to deny his application.

CANDICE LOUISE WILLIAMS (Pomona, California) – October 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Williams did not request a hearing on the matter.

DANIEL VADNAIS (Syracuse, New York) – October 12, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Vadnais did not request a hearing on the matter.

MICHAEL STEPHEN TIMOSCHUK (Irvine, California) – October 19, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Timoschuk did not request a hearing on the matter.

DANIEL HERBERT TIMPSON (Centennial Park, Arizona) – November 3, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory actions information within the Mortgage Loan Originator License Application. Mr. Timpson did not request a hearing on the matter.

LONDON LASHAE KNIGHT (Irvin, California) –November 3, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Knight did not request a hearing on the matter.

KYLE ZACHERY JONES (Tempe, Arizona) – November 3, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Jones did not request a hearing on the matter.

KEVIN KEITH JOHNSON (South Kingstown, Rhode Island) – November 3, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Johnson did not request a hearing on the matter.

PAUL JAMES SALCIDO, JR. (Corona, California) – November 3, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Salcido did not request a hearing on the matter.

JOYCE LANITRA TOLBERT (Los Angeles, California) – November 4, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Tolbert did not request a hearing on the matter.

TRACY MARIE CLARKIN (Honolulu, Hawai'i) – November 10, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Clarkin did not request a hearing on the matter.

JOSEPH AUSTIN CHASAR (North Ridgeville, Ohio) – November 10, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Chasar did not request a hearing on the matter.

MILLER JOHN COMO (Mayfield, Ohio) – November 10, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Como did not request a hearing on the matter.

TRACY LYNN KOENEMAN (Springfield, Missouri) – November 18, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Koeneman did not request a hearing on the matter.

BRIAN ALWIN KOERNER (Huntington Beach, California) –November 29, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Koerner did not request a hearing on the matter.

JORGE ANGEL FERNANDEZ (West Valley, Utah) – November 29, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Fernandez did not request a hearing on the matter.

SHAWN VINCENT RYAN (Harleysville, Pennsylvania) – November 29, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Ryan did not request a hearing on the matter.

CLAYTON DURAND CLINE (Warren, Ohio) – December 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Cline did not request a hearing on the matter.

TIMOTHY JAMES GEORGE (West Valley, Utah) – December 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action information within the Mortgage Loan Originator License Application. Mr. George did not request a hearing on the matter.

STEVEN LYNN DEYOUNG (Taylorsville, Utah) – December 20, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action and financial information within the Mortgage did not request a hearing on the matter.

ALEXANDER JASON IVORY (Colorado City, Arizona) – December 20, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Ivory did not request a hearing on the matter.

NICHOLAS NIELSEN (Herriman, Utah) – December 28, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Nielsen did not request a hearing on the matter.

TIMOTHY JAMES SPEED (Chandler, Arizona) – December 28, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Speed did not request a hearing on the matter.

TIMOTHY JAMES GEORGE (West Valley, Utah) – December 1, 2021- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action information within the Mortgage Loan Originator License Application. Mr. George did not request a hearing on the matter.

CEDRIC BERNARD PITTS (Mesquite, Texas) – December 28, 2021- Hearing Officer's Findings of Fact, Conclusions of Law, and Preliminary Order became a Final Order denying the application for mortgage loan originator licensure. The Department issued an order denying the application on September 22, 2021, for failure to disclose required financial information. Mr. Pitts contested the denial and an administrative hearing was held on December 7, 2021, which resulted in the hearing officer upholding the decision by the Department.

SCOTT ALAN CRITES (Lancaster, Ohio) – January 10, 2022- Order Denying Mortgage Loan Originator License Application issued after applicant failed to disclose required regulatory action and financial information within the Mortgage Loan Originator License Application. Mr. Crites did not request a hearing on the matter.

ANDREW WINDIAL BEZART II (Rialto, California) – February 2, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Bezart did not request a hearing on the matter.

Mr. Bezart was previously denied an Idaho mortgage loan originator license in 2020 after he failed to disclose required financial information within that Mortgage Loan Originator License Application.

SCOTT MATTHEW HUNT (Fountain Valley, California) – February 2, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Hunt did not request a hearing on the matter.

JUSTIN ALLAN KAUTZ (Corona Del Mar, California) – February 2, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Kautz did not request a hearing on the matter.

Mr. Kautz was previously denied an Idaho mortgage loan originator license in 2020 for failure to disclose required financial information.

CLIFF MICHAEL KOKKELER (Tustin, California) – February 2, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Kokkeler did not request a hearing on the matter.

SCOTT ARLAN CHRISTIAN (Laguna Hills, California) – March 3, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Christian did not request a hearing on the matter.

JEFFREY MICHAEL ALLEN JR. (Discovery Bay, California) – March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Allen did not request a hearing on the matter.

KENNEDI RAE HALL (Newport Beach, California) – December 20, 2021- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. A hearing was requested. A Consent Order was entered into as a resolution with the Department February 24, 2022 and acknowledged that information the Department had at the time the Order was entered was sufficient cause to deny her application.

ZACHARY COLT CARTER (Springfield, Texas) – March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Carter did not request a hearing on the matter.

ELIZABETH GYIMAH-DANIELS (Forney, Texas) – March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Gyimah-Daniels did not request a hearing on the matter.

EDGARDO ISMAEL GONZALEZ (Discovery Bay, California) –March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required civil action information within the Mortgage Loan Originator License Application. Mr. Gonzalez did not request a hearing on the matter.

ALI REZA JAVAHERIAN (Houston, Texas) –March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Javaherian did not request a hearing on the matter.

BRANDY ANN WARE (Ortonville, Michigan) – March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Ware did not request a hearing on the matter.

YESENIA BRIDGETTE CAMPISI (Las Vegas, Nevada) – March 21, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Ms. Campisi did not request a hearing on the matter.

MARK WESLEY VANCE (Houston, Texas) –March 24, 2022- Order Denying Mortgage Loan Originator License Application and Notice of the Opportunity for a Hearing was issued for failure to disclose required financial information within the Mortgage Loan Originator License Application. Mr. Vance did not request a hearing on the matter.

COLLECTION AGENCIES, DEBT/CREDIT COUNSELORS
DEBT BUYERS, DEBT SETTLEMENT COMPANIES
CREDIT REPAIR COMPANIES

ANDREWS, BENSON AND ASSOCIATES (Las Vegas, Nevada) – May 18, 2021- Order to Cease and Desist issued for unlicensed collection activity in Idaho.

THE LITIGATION PRACTICE GROUP, P.C. (Tustin, California) – September 15, 2021- Consent Order entered into as resolution to the unlicensed operation of a debt/credit counseling business in Idaho. Under the terms of the consent order, the company admitted that it was subject to licensure and agreed to cease and desist from engaging in debt and credit counseling activities in Idaho until the company obtains a license. The company agreed to refund fees to its Idaho clients for fees paid to the company and pay a settlement payment of \$5,000 to the Department.

HF HOLDINGS, INC. (Orlando, Florida) – October 4, 2021- Consent Order entered into as resolution to the unlicensed debt collection activity and the issued Verified Complaint for Order to Cease and Desist and for Monetary Penalty that was filed on September 8, 2021. Under the terms of the consent order, the company admitted to the allegations contained in the consent order; agreed to cease all collection business in Idaho until such time that it obtains a license; and agreed to pay to the Department an administrative penalty of \$5,000, to become due only if the company engages in future unlicensed activity.

DCN HOLDINGS, INC. dba ACCOUNTSRECEIVABLE.COM (Orlando, Florida) –December 15, 2021- Default Order to Cease and Desist and for Monetary Penalty issued for conducting unlicensed collection activity. A previous Order to Cease and Desist was issued in February 2019 for conducting the same unlicensed collection activity.

The Default Order resulted from the company’s failure to file an answer to the Department’s Verified Complaint for Order to Cease and Desist and for Monetary Penalty.

ASSET MANAGEMENT SERVICES USA, LLC (Melville, New York) – January 6, 2022-Consent Order entered into as resolution to an issued Verified Complaint for Revocation of Idaho Collection Agency License and Notice of the Opportunity to Request a Hearing for failure to maintain a required surety bond. In the Consent Order it was acknowledged the surety bond had been cancelled and steps would be taken to wind down Idaho business activities.

AVENGE SOLUTIONS, LLC dba AVENGE CREDIT REPAIR (Meridian, Idaho) – January 20, 2021- Default Order Revoking Idaho Collection Agency License issued for failure to maintain a surety bond. The default revocation order resulted from the company’s failure to file an answer to the Department’s Verified Complaint seeking revocation of its license.

DCN HOLDINGS, INC. dba ACCOUNTSRECEIVABLE.COM (Orlando, Florida) –March 2, 2022- Consent Order entered into addressing repeated unlicensed collection activity in Idaho. In February 2019, the Department issued an Order to Cease and Desist against DCN for conducting unlicensed collection activity and in December 2021, a Default Order to Cease and Desist and for Monetary Penalty was issued ordering DCN to immediately cease and desist from engaging in debt collection activity. The company agreed to immediately cease and desist collection activities and paid to the Department an administrative penalty of \$2,500.

THE LITIGATION PRACTICE GROUP, P.C. (Tustin, California) – March 7, 2022- A Second Consent Order was entered into as resolution to repeated acts of unlicensed debt and credit counseling business activities in Idaho. A Consent Order was previously entered into on September 15, 2021, in which the company admitted that it was subject to licensure and agreed to cease and desist from engaging in debt and credit counseling activities in Idaho. The company agreed to and refunded fees to its Idaho clients for fees they had paid and also paid to the Department an administrative penalty of \$5,000. Upon receiving new complaints from Idaho residents the company was contacted to confirm that it was still conducting unlicensed business. The company acknowledged that it had done so and in the Second Consent Order, admitted that it had failed to abide by the terms of the first Consent Order. The company again agreed refund fees to its Idaho clients for fees they had paid to the company and pay to the Department a second administrative penalty of \$5,000.

MORTGAGE BROKERS AND LENDERS

AMERICAN INTEGRITY PARTNERS, INC (Beverly Hills, California) –December 15, 2021- Order to Cease and Desist issued for conducting unlicensed mortgage loan modification activities.

BILL ALLEN dba BILL ALLEN ESCROW, ELIZABETH ALLEN, RYAN ALLEN, and ALLEN ACCOUNTING, LLC, dba BILL ALLEN ESCROW

(Salmon, Idaho) –March 3, 2022- Consent Order entered into addressing unlicensed mortgage brokering/ lending activity, various violations of the Idaho Residential Mortgage Practices Act, which also incorporates federal regulations, unlicensed regulated lending activity in violation of the Idaho Credit Code and unlicensed escrow business in violation of the Idaho Escrow Act. The company neither admitted nor denied that it was subject to licensure but agreed to cease and desist from engaging in these business activities in Idaho until the company obtained the appropriate licenses. The company paid to the Department an administrative penalty of \$7,300.

CONSUMER LENDERS, TITLE LENDERS, PAYDAY LENDERS

CAN DO AUTO CREDIT, INC. (Soda Springs, Idaho) –September 28, 2021- Consent Order entered into as a resolution to the failure of the company to update its license application record regarding its ownership and location change information resulting in unlicensed activity. Under the terms of the consent order, the company admitted to the facts and legal conclusion contained in the consent order and paid settlement fees in the amount of \$1,500. The company applied for and was granted an Idaho regulated lender license.

Somebody Bought My Debt. *Do I Still Have to Pay It?*

As if debt wasn't confusing and frustrating enough as it is, there are times it can be bought and sold almost like any other product. When that happens, what does it mean for you, your payments, and the progress you've made in paying down your debt?

Why your debt gets sold

Generally speaking, there are three reasons your debt can change hands:

You've been delinquent on payments long enough for the debt holder to cut its losses and

sell the debt to a collection agency. At that point, you no longer owe the lender, but you do owe the collection agency.

Your lender has decided to offload the debt for business reasons, such as a reduction in risk. Again, you'll owe the new debt holder, not the old one.

Your debt servicer has changed. In that case, your lender didn't sell the debt but opted to work with a different company to manage the debt. You still owe the original lender, but your day-to-day dealings of the debt, such as your payments, will be with the new servicer. There's one thing all of these cases have in common: Even if your debt has changed hands, you still have to repay it.

You might not have to repay a debt that is time-barred

Most debts are subject to a statute of limitations. A statute of limitations is basically a deadline for a creditor to file a collection action. Once the statute of limitations has expired, the debt is referred to as "time-barred" and the debtor might not have to repay the debt.

Not all debt is subject to a statute of limitations (federal student loans are exempt, for example). State law generally determines whether a statute of limitations applies, and if so how long a creditor has to file a lawsuit. If you think one of your debts may be subject to a statute of limitations, you should consider speaking with a lawyer.

How to stay current on payments when your debt is sold

One of the hardest parts about your debt being sold can be staying on top of the payments during and immediately after the transition. Even though you should receive a notice in the mail when your account changes hands, financial documents can go missing or become difficult to track, especially for renters who may move somewhat regularly.

- If your lender or debt servicer offers online access to your account, register for it so you can review important account information without worrying about waiting for documents in the mail.
- Even if you use automatic payments for your debt, periodically log into your account to check for updates. Better yet, sign up for email notifications.
- If you signed up for automatic payments through your bank account or credit card, make sure you change the payments to go to the new debt holder or servicer. Otherwise, you could end up accidentally sending money to an entity you no longer owe money to.

As soon as you know that you have a new debt holder or servicer, register on that company's website or call them to find out how to make payments so that you can be sure you don't miss one in the transition.

The only way to change lenders

Unfortunately, you can't do anything to stop your debt from being sold to another company or transferred to another servicer. Even after that happens, you're locked into repayment of the debt. What you can do, however, is look into refinancing.

In a refinance, you're basically applying for a loan to pay off your old debt. There can be a major plus to this besides getting a new lender. If you're approved for a

refinance loan at a lower interest rate than you're paying now, that new loan could

potentially decrease your monthly payments and total costs over the life of the loan, or make it easier for you to pay the debt off faster.

But before you decide to refinance, carefully review the terms of the new loan. For example, if you refinance federal student loans, then you're trading in your federal loans for private student loans. That means forfeiting the chance to use income-driven repayment plans should you ever need them. No matter what kind of debt you have, it's important to consider all the ramifications of a refinance before deciding if it's the right move for you.

Debt being sold can be a hassle at times. But if you handle the situation proactively and ensure that you don't end up behind on payments, then you can make sure your lender's business decisions don't negatively impact your finances.

-- Shannon McNay Insler - Aug 14, 2021

Consumer Finance Bureau Statistics

As of March 31, 2022

Active Licensees (as of 3/31/2022)

Mortgage Brokers/Lender	2,506
Exempt Entity	16
Mortgage Loan Originators (Approved-Active)	7,738
<u>Mortgage Loan Originators (Approved-Inactive)</u>	1,236
Mortgage Loan Originators (Temporary Authority)	940
Regulated Lenders (Inc. Title Lenders)	745
Payday Lenders	121
Collection Agencies	1,152
Debt/Credit Counselors	48
Debt Buyers	109
Credit Repair Company/Organizations	11
Debt Settlement Companies	23
Collection Agency Agents/Solicitors	46,292
<u>New Applications Received (5/01/2021-3/31/2022)</u>	
Mortgage Brokers/Lenders	1,040
Mortgage Loan Originators	4,449
Regulated Lenders (Inc. payday/title)	108
Collection Agencies	204

Legal Actions (5/01/2021-3/31/2022)

Denial	81
Cease & Desist	4
Revocations	1
Consent Order	4
REES Multi-state Consent Order	44

Withdrawals/Surrenders (5/01/2021-3/31/2022)

Mortgage Broker/Lenders	320
Mortgage Loan Originators	932
Regulated Lenders (Inc. Payday/Title)	20
Collections	11

Terminations (failed to renew licenses)

(5/01/2021-3/31/2022)

Mortgage Broker/Lenders	6
Mortgage Loan Originators	1,249
Regulated Lenders (Inc. Payday/Title)	6
Collection (all categories)	2

Exams Conducted (5/01/2021-3/31/2022)

Mortgage Brokers/Lenders	17
Branches	24
MLOs	91
Regulated Lenders (Inc. Payday/Title)	15
Branches	0
Collection Agency	27

Complaints filed (written) (5/01/2021-3/31/2022)

Mortgage (Origination/servicing)	46
Mortgage Loan Originators	15
Collection Agency	42
Payday Lender, Regulated Lender (Finance Co., Payday, Title)	30
Other	8
Monetary Relief for Consumers	\$101,883

Idaho Mortgage Lenders Association presents.....

Complete All 8 Hours of
Required CEU's in ONE

8 Hours of Live Classroom Continuing Education

Day!!

Class Includes:

3 Hours Federal

1 Hour State

Lunch Break

12 – 1 pm

2 Hours Non-
Traditional

2 Hours Ethics

ALL CLASS

CONTENT

DIFFERENT FROM
LAST YEAR!!

PLEASE NOTE:

If you do not have your individual NMLS ID # and a photo ID at the time of the training, credit cannot be given. **IF YOU ARE LATE FOR CLASS credit cannot be given. NO EXCEPTIONS**

SAVE THE DATE

*Registration information
and links to follow.*

WHEN & WHERE: (8:00am– 5:00pm, lunch break Noon – 1 pm)
Boise– Thursday, October 20, 2022
Red Lion Hotel, 1800 W Fairview Ave, Boise, ID

Early Bird—on or before September 15th: After September 15th:
IMLA Members: **\$149** IMLA Members:
\$179
Non-Members: **\$199** Non-Members: \$229
See below for membership information.
Lunch is included in registration fee.
NO refunds will be given after August 15th.
PLEASE NOTE THAT THESE DATES ARE SUBJECT TO COVID 19 REQUIREMENTS IN PLACE AT THAT TIME.

Thanks to our training sponsors :



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Idaho Mortgage Lenders Association

Not a member? Join today at:

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For Sponsorship information please contact:
Michelle Guth: michelle@dmgloans.com

or

idahoimla@gmail.com

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(as of June 6, 2022)

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Collection Agency Licenses:

Collections@finance.idaho.gov



This newsletter is produced as a part of the Consumer Finance Bureau's continued communication outreach with the companies it regulates. Delivery is provided by electronic notification of its availability on the Department's website at www.finance.idaho.gov. Suggestions and comments concerning the newsletter or its contents should be sent to PO Box 83720, Boise, Idaho 83720-0031 or via email to Erin.VanEngelen@finance.idaho.gov.