

## **R162-2c-202. Qualifications for Licensure.**

- (1) Character. Individual applicants and control persons shall evidence good moral character, honesty, integrity, and truthfulness.
  - (a) An applicant may not have:
    - (i) been convicted of, pled guilty to, pled no contest to, pled guilty in a similar manner to, or resolved by diversion or its equivalent:
      - (A) a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering;
      - (B) any felony in the seven years preceding the day on which an application is submitted to the division;
      - (C) in the five years preceding the day on which an application is submitted to the division:
        - (I) a misdemeanor involving moral turpitude; or
        - (II) a crime in another jurisdiction that is the equivalent of a misdemeanor involving moral turpitude;
      - (D) in the three years preceding the day on which an application is submitted to the division, any misdemeanor involving:
        - (I) fraud;
        - (II) misrepresentation;
        - (III) theft; or
        - (IV) dishonesty;
    - (ii) had a license as a mortgage loan originator revoked by a government regulatory body at any time, unless the revocation is subsequently vacated or converted;
    - (iii) had a professional license or registration, whether issued by a Utah regulatory body or by another jurisdiction, suspended, surrendered, canceled, or denied in the five years preceding the date the individual applies for licensure if the suspension, surrender, cancellation, or denial is based on misconduct in a professional capacity that relates to:
      - (A) moral character;
      - (B) honesty;
      - (C) integrity;
      - (D) truthfulness; or
      - (E) the competency to transact the business of residential mortgage loans;
    - (iv) in the five years preceding the day on which an application is submitted to the division, been the subject of a bar by the:
      - (A) Securities and Exchange Commission;
      - (B) New York Stock Exchange; or
      - (C) National Association of Securities Dealers;
    - (v) had a permanent injunction entered against the individual:
      - (A) by a court or administrative agency; and
      - (B) on the basis of:
        - (I) conduct or a practice involving the business of residential mortgage loans; or

(II) conduct involving fraud, misrepresentation, or deceit.