

**UTAH RESIDENTIAL MORTGAGE REGULATORY
COMMISSION MEETING**

Heber M. Wells Building
Second Floor - Room 210

8:30 A.M.

October 5, 2005

MINUTES

STAFF MEMBERS PRESENT

Derek Miller, Division Director
Mark Fagergren, Education/Licensing Director
Jon Brown, Enforcement Director
Dee Johnson, Investigator
Marv Everett, Investigator
Ron Kunzler, Assistant Attorney General
Shelley Wismer, Assistant Attorney General
Judi Jensen, Assistant Attorney General
Renda Christensen, Board Secretary
Amanda Orme, Mortgage Education Secretary
Jody Colvin, Mortgage Licensing Tech

COMMISSION MEMBERS PRESENT

A. Thompson Calder, Chair
Pierre Alley, Vice Chair
Alan Bowyer, Commissioner
Julie McCan, Commissioner
Heather MacKenzie, Commissioner

GUESTS

Al Bingham
Eva Rees
Kevin Swensen

The meeting on October 5, 2005 of the Utah Residential Mortgage Regulatory Commission began at 8:33 a.m. with Chair Calder conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes - The minutes from the September 7, 2005 meeting were approved as written.

DIVISION REPORTS

Enforcement Report – Dee Johnson

Mr. Johnson reported in September there were 14 complaints logged, 4 cases opened for investigation, 9 cases closed, 23 complaints screened and closed, leaving the number of open cases at 121. The average number of complaints the Division receives are approximately 28.82 per month. The past two months have shown a decrease in cases.

Director's Report – Derek Miller

Director Miller introduced himself to the Commission and the guests attending. He is a graduate of the J. Reuben Clark Law School at BYU and holds a Master of Public Administration degree from BYU. He has been Counsel for the U.S. House Transportation and Infrastructure Committee since 2002. Prior to that, he was with Arthur Andersen LLP and managed several real estate-related consulting projects, including reforming the FHA loan program, and implementing the HUD Enforcement Center and the Real Estate Assessment Center.

Director Miller said the Division is actively working on ways to fight fraud. He met with the Republican leaders of the House about the upcoming legislative session.

Education/Licensing Report – Mark Fagergren

Mr. Fagergren said the Instructor Development Workshop will be held on December 1-2, 2005 at the Marriott Hotel. The workshop will be open to appraiser, real estate and mortgage pre-licensing instructors and continuing education instructors. The cost is \$75.00 and continuing education credit will be given. He is estimating there will be approximately 100 people attending.

Mr. Fagergren asked Commissioner Alley to give a brief update on the PLM exam writing committee. Commissioner Alley said the committee has approximately 300 questions for the exam, and at the last meeting had reviewed about 45 questions in the 4 hour meeting. There will be a meeting with Promissor on October 17-18, 2005. Mr. Fagergren announced Promissor had won the contract to continue being the testing vendor for the Division. This meeting will be to review questions and establish a cut score.

Mr. Fagergren recently attended the ARELLO Convention in Toronto, Canada. He said mortgage fraud is having an large impact for real estate regulators, and believes Utah to be one of the leaders in having a better handle on licensing and regulation of licensees.

OTHER BUSINESS

Commissioner Bowyer suggested having an alternative commissioner. Ms. Wismer said the statute had been recently amended to allow for an alternative position. The statute requires 3 years experience in transacting the business of residential mortgage loans, and the individual must be currently licensed with the Division. A motion was made and unanimously passed to begin the process to elect an alternative commissioner.

INFORMAL HEARINGS

- 9:00 Aviel Andrade-Miller – Post-Revocation Hearing
- 9:15 Mike Tidwell – Post-Revocation Hearing
- 9:38 Directsourceloan.com – Application for Renewal of License
This is a teleconference hearing.
Cherud Wilkerson, Counsel
Donna Castro, Licensing Coordinator
- 10:00 Kevin Thompson – Requested to Reschedule

REVIEW CRIMINAL CONVICTIONS LIST

Josh Baum
Colin Brown
Jodi Bulloch
Carteret Mortgage Corp.
Brian Clinger
Dana Capital Group
Ryan Deblois
Jennifer Francis
Laura Fuhriman
Stan Hanks
Eric Harris
Jefferson Hunt
Raylene A. Huntsman
Christopher Jolley
Colin Logue
Valarie Pace
Adams Richards
Olivia Rico
Heather Riggs
Clark Sabey
Zakary Short

Derick Steinman
Josiah Teschner
Adam Thomas

Chair Calder proposed having the Division create a list for the Commission of categories for the Division to review in-house.

INFORMAL HEARINGS (Continued)

10:30 Gateway Funding Diversified Mortgage Services LLC –
Application

for License

This is a teleconference hearing.

Madeleine Cardona, Manager, State Compliance

Michael Cupertino

Emma Richmond, Supervisor, Regulatory Compliance

Donna Herre

11:00 Abraham Kenison – Application for License

Janet I. Jenson, Attorney

Ted Kenison, Father

Linda Kenison, Mother

Rachael Kenison, Wife

Vince Anderson, Supervisor

Mike Emery, Friend

11:25 Dominic Ruiz – Application for License

Executive Session was held from 12:00 p.m. until 1:00 p.m. This was a working lunch.

1:00 Joe D. Thomas – Application for Renewal

Max Wheeler, Attorney

Don Deagle, Attorney

1:45 Melissa Woods – Application for Renewal

Sydney Magid, Attorney

2:10 Ivonne Vasquez – Application for License

Steve Newton, Attorney

Doug Back, Co-Owner of Title One

Georgene Clotfeler

Lhersy Fleming

Dee Johnson, Investigator, Division of Real Estate
Marv Everett, Investigator, Division of Real Estate

- 3:30 J. Daniel Stevens – Application for License
- 4:15 Albert Grooms – Post-Revocation Hearing
Renda Christensen, Licensing Supervisor, Division of Real Estate
- 4:30 Jeremiah Carlson – Post-Revocation Hearing
H. Delbert Welker, Attorney
- 4:45 Amber Vigil – Application for License
- 5:10 Lucius Valencia – Application for Renewal of License

Executive Session was held from 5:30 p.m. until 6:10 p.m.

EXECUTIVE SESSION

Results of Executive Session

Aviel Andreade-Miller – Revocation was upheld for one year.

Mike Tidwell – Reverse the revocation

Directsourceloan.com – Granted and immediately suspended until proof is given to the Division that there is someone is licensed in the state of Utah, and to pay a \$2,500 fine.

Kevin Thompson – Allowed to reschedule in November

Gateway Funding Diversified Mortgage Services, LLC – Granted and immediately suspended until proof is given to the Division that there is someone licensed in the state of Utah.

Abraham Kenison – Granted on probation for the term of the license, pending proof of broker notification given to the Division.

Dominic Ruiz – Granted and immediately suspended until proof is given to the Division that child support is brought current.

Joe Thomas – Grant the renewal

Melissa Woods – Granted

Ivonne Vasquez – Denied

J. Daniel Stevens – Denied

Albert Grooms – Revocation was reversed

Jeremiah Carlson – Revocation is reversed

Amber Vigil – Denied

Lucius Valencia - Denied

Criminal Convictions List

Josh Baum - Approved

Colin Brown - Approved

Jodi Bulloch - Approved

Carteret Mortgage Corp. – Schedule for hearing

Brian Clinger - Approved

Dana Capital Group – Schedule for hearing

Ryan Deblois – Schedule for hearing

Jennifer Francis - Approved

Laura Fuhriman - Approved

Stan Hanks - Approved

Eric Harris - Approved

Jefferson Hunt - Approved

Raylene A. Huntsman – Schedule for hearing

Christopher Jolley - Approved

Colin Logue - Approved

Valarie Pace - Approved

Adams Richards - Approved

Olivia Rico - Approved

Heather Riggs - Approved

Clark Sabey - Approved

Zakary Short - Approved

Derick Steinman - Approved

Josiah Teschner - Approved

Adam Thomas - Approved

Stipulations

John Michael Earnest - Approved

A motion was passed to adjourn at 6:25 p.m.