

**UTAH RESIDENTIAL MORTGAGE REGULATOR
COMMISSION MEETING**

Heber M. Wells Building
Room 210
9:00 A.M.
January 7, 2009

MINUTES

STAFF MEMBERS PRESENT

Mark B. Steinagel, Division Director
Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Renda Christenen, Board Secretary
Julie Price, Division Staff
Jody Colvin, Division Staff
Amanda Orme, Mortgage Education Coordinator
Tiffeni Wall, Real Estate Education Coordinator

COMMISSION MEMBERS PRESENT

Rodney "Butch" Dailey, Chair
Heather MacKenzie, Vice Chair
Maralee Jensen, Commissioner
Lance Miller, Commissioner
Brigg Lewis, Commissioner

GUESTS

Kevin Swenson	Tammy Lund
David Luna	Pierre Alley
Jeremy Plouzek	Howard Tolley
Einar Schow	Ron Duyker
Paul Naylor	

The meeting on January 7, 2009 of the Utah Residential Mortgage Regulatory Commission began at 9:03 a.m. with Chair Dailey conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes - The minutes from the December 3, 2008 were found to have one correction. Commissioner Jensen's name needs to be added to those in attendance. With this correction, the minutes were approved as corrected.

DIVISION REPORTS

Director's Report – Mark B. Steinagel

Director Steinagel spoke about R162-204.1.2.1 regarding the abandoned records act. This rule will fall under the Unprofessional Conduct rule. The wording now states that a person must destroy the records at the end of the retention schedule. After discussion, the rule wording will be changed to "shall dispose of the records in a reasonable manner that safeguards any personal information."

The Division bill was discussed next. Some of the items listed are as follows: modifies provisions related to renewal of a mortgage license under the residential mortgage provisions; repeals a requirement that the division by rule provide for certain licensing processes; clarifies criminal penalties against a person required to be licensed or certified under residential mortgage provision; and, restricts recovery by a lender from the Residential Mortgage Loan Education, Research, and Recovery Fund.

Director Steinagel said there was not much new to discuss S.A.F.E. It is now a numbered bill, SB31. Legislative Research is putting in some changes. He asked those in attendance for any comments or suggestions. At this time, there were none offered.

Enforcement Report – Dee Johnson

Mr. Johnson said in the month of December the Division received 20 complaints; screened 9 complaints; opened 3 cases; closed 6 cases; leaving a balance of 52 open cases.

Mr. Johnson said there are two Stipulations being presented today. Those respondents were offered the opportunity to be here today and have chosen not to appear.

Review of Stipulations:

Keith Koskan

Dale Asay

Education/Licensing Report – Mark Fagergren

Mr. Fagergren discussed the statistics handed out for December. The past 11 months show a drop of 21% for loan officers. Some of these licensees changed their status to inactive, which increased by 36%. There are approximately 1,000 individuals that dropped out of the industry. The PLM/ALM's have decreased 8%, (some could be included in the inactive numbers). Companies have dropped 27%, and the inactive companies have risen by 38%. The inactive numbers would include 79 branches.

The Mortgage Education Committee met recently and there were discussions on how much time will be spent on each principle, and what defines minimal competency. There is a value to having people better qualified when they enter into the industry.

Director Steinagel asked Mr. Fagergren if hours or content drove the discussions with the committee. Commissioner Miller said that yesterday's meeting had the hours driving the meeting. Up until then, the discussion was all content driven.

Mr. Fagergren said the Division's newsletter was in its final draft and should be out by the end of the month.

Chair Dailey had a few comments on statistics. He said that the Salt Lake Board in 2008 showed 9,350 members. As of December 31, 2008, 6,308 had paid their dues. There were 2,800 members that have gone inactive or out of business. In an average month in Salt Lake county, there are usually 1,050 to 1,100 single family residents sold. In November, there were 572 and in December there were 626 units sold.

A motion was made and unanimously passed to close the public portion of the meeting for the upcoming hearing.

CLOSED TO PUBLIC

LICENSE/RENEWAL HEARINGS:

10:03 Matthew Barrett – Application for Renewal
Mr. Barrett's hearing will be continued until March.

11:00 Karl Menzer – Application for Renewal
Mr. Menzer was a no-call/no-show for his hearing. Motion to continue his hearing until March passed unanimously.

CLOSED TO PUBLIC

A motion was made and passed unanimously to go into Executive Session from 11:05 a.m. to 11:10 p.m.

Results of Executive Session:

Review of Stipulations:

Keith Koskan - Approved

Dale Asay - Approved

A motion was passed unanimously to adjourn at 11:12 a.m.