

**UTAH RESIDENTIAL MORTGAGE REGULATORY
COMMISSION MEETING**

Heber M. Wells Building
Room 250
9:00 AM
July 1, 2009

MINUTES

STAFF MEMBERS PRESENT

Thad Levar, Acting Director
Mark Fagergren, Education/Licensing Director
Traci Gundersen, Assistant Attorney General
Dave Mecham, Chief Investigator
Jennie Jonsson, Hearing Officer
Renda Christensen, Board Secretary
Tiffeni Wall, Real Estate Education Coordinator
Jody Colvin, Division Staff
Julie Price, Division Staff

COMMISSION MEMBERS PRESENT

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

GUESTS

Tyler Camp	Ron Duyker
JR Thompson	Kevin Swenson
Paul Naylor	David Bornemeier
Jeremy Plozak	Al Bingham
David Luna	

The meeting on July 1, 2009 of the Utah Residential Mortgage Regulatory Commission began at 9:05 a.m. with Chair Dailey conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes - The minutes from the June 3, 2009 meeting were approved as written.

DIVISION REPORTS

Director's Report – Thad Levar, Acting Director

Acting Director Levar introduced himself to the Commission. He is the Deputy Director for the Department of Commerce. The previous Director, Mark Steinagel, is now the Director of the Division of Occupational and Professional Licensing.

Acting Director Levar introduced Jennie Jonsson to the Commission. Her functions will be drafting the Commission orders and the Administrative Rules writer for the Division.

Acting Director Levar discussed SB-81, the immigration bill. All license applications and renewals will now affirm under penalty of perjury, that they are either a U.S. citizen or a qualified alien. This change has been made to all the forms in the Division. The second part of SB-81 is to verify this information against a Federal database. We are still working on getting approval from the Federal Department of Home Land Security to get access to the database.

The next item Acting Director Levar mentioned was the federal SAFE legislation. There was a \$216,000.00 assessment for start-up costs to the Division of Real Estate. The fee was paid through the Department of Commerce and the Division of Real Estate operating funds, not out of the Education Fund.

Enforcement Report – Dave Mecham

Mr. Mecham is sitting in for Mr. Johnson today. There are no stipulations to present to the Commission for review.

In the month of June the Division received 34 complaints; screened 16 cases; opened 5 cases; closed 7 cases; leaving the total number at 49 cases.

There was a question from the guests as to why the top of the report was blank and only the numbers for Enforcement were listed. Ms. Christensen said the system automatically expires individuals and companies that have not renewed on the first day of the month. Since this meeting is being held on the first day of the month, she is not able to pull the numbers until later today.

Education/Licensing Report – Mark Fagergren

Mr. Fagergren stated that schools need to be made aware of changes made

to applications and renewal forms. In compliance with SB-81, the Division must ask all licensees, even on renewals, to verify their social security numbers, qualified alien with their I-94 number or Alien Registration number. This new Federal database will match up the information submitted by licensees with the Home Land Security database to make sure all information is correct.

The Division is making a transition to SAFE and trying to keep everyone updated. The Division is in close communications with CSBS regarding the transitioning of about a dozen other states that are coming on the NMLS&R database at the same time as Utah. We have submitted our timelines with dates, and are preparing information CSBS requires. In the NLMS&R there are some complex issues we are dealing with, such as a fee of \$30.00 per state to change companies. Also, if a licensee is inactive, upon activation of their license, the NMLS&R doesn't charge for reactivation, but the Division does charge a fee.

Mr. Fagergren mentioned that we have lost Amanda Orme as the Mortgage Education Coordinator and the Division is in the process of interviewing for that position.

Mr. Fagergren will discuss the continuing education hours in the next meeting. Currently, 14 hours are needed every two years and when we go onto the NMLS&R system it will be 8 hours annually. We will be transitioning for existing licensees on January 1, 2011, but the implementation date for new licensees will be January 1, 2010. Mr. Fagergren asked the Commission to consider if they will adopt the SAFE requirement which is 8 hours annually (7 hours are required topics), or whether there should be some additional hours towards elective education or Utah law.

The Instructor Development Workshop will be held on October 19-20, 2009, a Monday and Tuesday. Amy Chorew will be our featured guest instructor. He invited the Commission to attend.

There was discussion to change the date new mortgage officers will take the NMLS&R National Exam from August 1st until September 1, 2009. It was decided to change the date and allow extra time to take the test until September 1, 2009.

The meeting scheduled next month as a telephonic meeting has been changed to a live meeting.

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

CLOSED TO PUBLIC

LICENSE/RENEWAL HEARINGS:

10:00 NA NationWide Mortgage – Application for Renewal of License
Noelle Wheeler, PLM

A motion was made and passed unanimously to go into Executive Session from 10:50 a.m. to 11:00 a.m.

OPEN TO PUBLIC

A motion was passed unanimously to adjourn at 11:02 a.m.