

**UTAH RESIDENTIAL MORTGAGE REGULATORY
COMMISSION MEETING**

Heber M. Wells Building
Room 210
9:00 a.m.
November 5, 2014

MINUTES

STAFF MEMBERS PRESENT

Jonathan Stewart, Division Director
Mark Fagergren, Education/Licensing Director
Jeffery Nielsen, Chief Investigator
Justin Barney, Hearing Officer
Renda Christensen, Board Secretary
Tim Cuthbertson, Investigator
Marv Everett, Investigator
Jan Buchi, Mortgage Education Coordinator
Jennica Gruver, Division Staff

COMMISSION MEMBERS PRESENT

Lance Miller, Vice Chair
Cathy Gardner, Commissioner
John Gonzales, Commissioner
George Richards, Commissioner

Chair Hiatt is excused from the meeting this month.

The meeting on November 5, 2014 of the Utah Residential Mortgage Regulatory Commission began at 9:03 a.m. with Vice Chair Miller conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes – A motion was made and seconded to approve the minutes from the October 1, 2014 meeting. Vote: Vice Chair Miller, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Richards, yes. The motion passes.

DIVISION REPORTS

Director's Report – Jonathan Stewart

Director Stewart said the Division is considering adding the following language from Regulation X to the exemptions section of our statute:

“Normal promotional and educational activities that are not conditioned on the referral of business and that do not involve the defraying of expenses that otherwise would be incurred by persons in a position to refer settlement services or business incident thereto;”

The Commissioners discussed which wording would be the best to replace "normal." Options were "optional" or "reasonable," and it was decided to do some research to see what other options would be the best.

Enforcement Report – Jeffery Nielsen

Mr. Nielsen reported in October the Division received 4 complaints; opened 2 cases; closed 1 case on the Attorney General's list; closed 1 case; leaving the total number of cases at 87.

There are no stipulations for review today.

Education and Licensing Report – Mark Fagergren

Mr. Fagergren said the Instructor Development Workshop was successful, and Commissioner Gardner clarified a few answers for Mr. Fagergren.

Last month Mr. Fagergren reported the Division's testing contract was out for bid. The low bidder was our current provider, Pearson Vue. Their bid was 13.5% lower than the next bidder. It is good for the Division because now the exams do not have to be rewritten.

The lending manager exam statistics for the last fiscal year ending June 30, 2014, there were 180 tests provided. First time lending manager pass rate was 63%, and the overall pass rate was 57%.

The licensing staff prepared the renewal numbers to share with the Commission. As of this morning there have been 755 renewal requested out of 4,531 total licensees. Of these 755, 56 have been approved in the first four days, and 699 renewals are pending. Entity renewals show that 150 renewals have been received as of today. That compares with 327 entity renewal in 2013. Of these 150 renewals, 9 have been approved, with 141 entity renewals pending.

The overall percentage for both individuals and entities as of today is 17% submitted with 7% having been approved.

There are no stipulations to review this month.

COMMISSION AND INDUSTRY ISSUES

Updates on Rules – Justin Barney

Mr. Barney has been out of the office for approximately six weeks due to an accident. He reported that Option 3 proposed rule is ready to be submitted.

There are no stipulations to review this month.

A motion was made and seconded to adjourn the meeting. Vote: Vice Chair Miller, yes; Commissioner Gonzales, yes; Commissioner Gardner, yes; Commissioner Richards. The meeting adjourned at 9:22 a.m.

