

**UTAH RESIDENTIAL MORTGAGE REGULATORY  
COMMISSION MEETING**

Heber M. Wells Building

Room 2B

9:00 a.m.

September 4, 2013

TELEPHONIC MEETING

**MINUTES**

**STAFF MEMBERS PRESENT**

Jonathan Stewart, Division Director  
Mark Fagergren, Education/Licensing Director  
Jeffery Nielsen, Chief Investigator  
Justin Barney, Hearing Officer  
Jennie Jonsson, Administrative Law Judge  
Xanna DeGooyer, Assistant Attorney General  
Renda Christensen, Board Secretary  
Jan Buchi, Mortgage Education Coordinator  
Marv Everett, Investigator  
Jennica Robison, Division Staff

**COMMISSION MEMBERS PRESENT**

Holly Christensen, Chair  
Steve Hiatt, Vice Chair  
Lance Miller, Commissioner  
Rodney "Butch" Dailey, Commissioner  
John Gonzales, Commissioner

The meeting on September 4, 2013 of the Utah Residential Mortgage Regulatory Commission began at 9:00 a.m. with Chair Christensen conducting.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes

A motion was made to approve the minutes from the August 7, 2013. Vote: Chair Christensen, yes; Vice Chair Hiatt, yes; Commissioner Dailey, yes. The motion passes.

A motion was made to approve the August 19, 2013 minutes. Vote: Chair Christensen, yes; Vice Chair Steve Hiatt, yes; Commissioner Miller, yes; Commissioner Dailey, yes; Commissioner Gonzales, yes. The motion passes.

**DIVISION REPORTS**

**Director's Report – Jonathan Stewart**

Director Stewart said he had two issues to discuss with the Commission, but would

prefer to wait until next month when we will hold a live meeting. Last month, Director Stewart and Mr. Nielsen attended the AARMR Conference and missed the Mortgage Commission meeting. There were some issues that came up in the conference that he wants to discuss with the Commission.

The legislative session is coming up in February and the Division has made a list of changes to be made in each industry we regulate. He would prefer to wait until next month's live meeting to discuss these with the Commission.

#### **Enforcement Report – Jeffery Nielsen**

Mr. Nielsen reported in August the Division received 16 complaints; opened 2 cases; have no cases with the Attorney General's office after the hearing last month; closed 3 cases; leaving the total number of cases at 51.

There are two stipulations for review today. The individuals were given the opportunity to address the Commission but have chosen not to appear.

#### **Stipulations for Review**

Jonathan Roberts

T. Blake Reese

#### **Education and Licensing Report – Mark Fagergren**

Mr. Fagergren has submitted the outline for future Division continuing education courses. The changes would deal with statutory and rule changes; ethics; Commission perspectives on these issues; lending managers and supervisory duties. The length of the course would vary from year to year based on the number of statutory and rule changes, etc. After discussion on these topics, it was decided to add the topic of abandoning records under the Record Keeping section.

The Commission has requested a copy of the outline in Word format so they can make any recommended changes. Ms. Christensen will email the outline to the Commission at the end of the meeting.

Mr. Fagergren reminded the Commission of the upcoming Instructor Development Workshop ("IDW") that is being held on October 28 and 29, 2013. The Commissioners are invited to attend as guests of the Division. There will be information on the IDW in the Division's newsletter.

#### **Commission and Industry Issues – Justin Barney/Jennie Jonsson**

Mr. Barney reported the rule on classes taught by education providers and completion certificates, and the Division approved CE course, have been made effective. The filing that deals with credit reporting and fingerprinting checks every five years has been submitted to the Division of Administrative Rules. It should be published September 15, 2013 and the public comment period will run through October 15, 2013. The first possible effective date will be October 22, 2013. With that filing, the Division has complied with all the rulemaking that needs to be done pursuant to statutory changes

that were made during the 2013 legislative session and the Administrative Rules Committee. The Legislature has been so informed. The Division's website has been updated to reflect these new rules.

There are no stipulations for review today.

**CLOSED TO PUBLIC**

A motion was made to close the meeting to discuss the character, professional competence, or physical and mental health of an individual. Vote: Chair Christensen, yes; Vice Chair Hiatt, yes; Commissioner Miller, yes; Commissioner Dailey, yes; Commissioner Gonzales, yes. An Executive Session was held from 9:32 a.m. to 10:00 a.m.

**OPEN TO PUBLIC**

Results of Stipulations

Jonathan Roberts – Approved

T. Blake Reese – Add to the Agenda for next month

A motion was made to adjourn the meeting. Vote: Chair Christensen, yes; Vice Chair Hiatt, yes; Commissioner Miller, yes; Commissioner Dailey, yes; Commissioner Gonzalez, yes. The motion carries. The meeting adjourned at 10:02 a.m.