

**UTAH RESIDENTIAL MORTGAGE
REGULATORY COMMISSION MEETING
Telephonic Meeting**

Heber M. Wells Building
Room 210
9:00 A.M.
September 2, 2015

MINUTES

DIVISION MEMBERS PRESENT

Jonathan Stewart, Division Director
Mark Fagergren, Licensing/Education Director
Jeffery Nielsen, Chief Investigator
Judith Jensen, Assistant Attorney General
Justin Barney, Hearing Officer
Amber Nielsen, Acting Board Secretary
Marvin Everett, Investigator
Tim Cuthbertson, Investigator

COMMISSION MEMBERS PRESENT

George P. Richards, Vice Chair
John T. Gonzales, Commissioner
Cathy J. Gardner, Commissioner
Kay R. Ashton, Commissioner

The meeting on September 2, 2015 of the Utah Residential Mortgage Regulatory Commission began at 9:02 a.m. with Vice Chair Richards conducting.

Chair Hiatt is excused from the meeting this month.

PLANNING AND ADMINISTRATIVE MATTERS

Commissioner Ashton noted some changes which needed to be corrected in the minutes, including the erroneous label of a telephonic meeting and the inclusion of Lancer Miller.

Approval of Minutes

A motion was made and seconded to approve the August 5, 2015 minutes with the noted errors corrected. Vote: Vice Chair Richards, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Ashton, yes. The motion is approved.

Public Comment Period

No public attended the meeting and there were no comments given.

DIVISION REPORTS

Director's Report – Jonathan Stewart

Director Stewart reported on the AARMR conference he attended with Marvin Everett last month.

Director Stewart addressed an issue from the conference regarding transitional licensing for potential licensees coming from the depository mortgage industry. The issue was discussed by the members of the Board and Division. A motion was made and seconded to not support the bill for transitional licensing as written. Vote: Vice Chair Richards, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Ashton, yes. The motion passes unanimously.

Director Stewart reported the NMLS is starting an online mortgage licensing school which would train regulators on how to use the NMLS website. This system will be beneficial for the Division.

Director Stewart reported on some of the information presented by the CFPB. The CFPB is no longer using the acronym "TRID." The CFPB is now using the slogan "Know before you owe." The CFPB's primary focus is on originations. The CFPB's goal is for all companies to be self-regulating, self-assessing to prevent harm to consumers.

Director Stewart presented information regarding the website mortgagefraudblog.com, a website which tracks as many mortgage fraud cases the owner can find.

A discussion regarding inducements and repairs not being added to the REPC was held.

The Multi-State Mortgage Task Force examinations were discussed briefly.

Enforcement Report – Jeffery Nielsen

Mr. Nielsen reported in August the Division received 7 complaints; opened 2 cases; closed 7 cases; leaving 85 open mortgage cases. The AG's office has 7 cases.

The Pre-Stipulation Disclosures form was amended with the suggestions given by the Commission. Mr. Nielsen will print off a copy of the updated form and give it to the Commissioners for review later in the meeting.

There are no enforcement stipulations to review this month.

Education/Licensing Report – Mark Fagergren

Mr. Fagergren reported that Lark Martinez is currently in Nebraska attending training from the NMLS. Mr. Fagergren also reported that the Division will have a new licensing technician starting on September 14th, and will hopefully have the

Education coordinator position filled at the end of this week.

Mr. Fagergren announced the Instructor Development Workshop. The IDW will be held October 14 and 15 in Park City. Deborah Long has been invited back to speak at the IDW.

There are no education stipulations to review this month.

Commission and Industry Issues – Justin Barney

Mr. Barney reported there were no public comments received on the proposed rule amendments to R162-2c-201. A motion was made to publish the rule date effective today. Vote: Vice Chair Richards, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Ashton, yes. The motion is approved with Division concurrence.

There are no licensing stipulations for review this month.

Director's Report – Jonathan Stewart

Director Stewart presented some proposed changes which will be brought before the legislature next year.

Director Stewart turned time over to Mr. Nielsen to discuss the proposal for changes regarding marketing without a license.

Commissioner Ashton brought up for discussion the law 70c which causes higher interest rates.

A brief recess was taken from 10:00 a.m. until 10:01 a.m.

INFORMAL HEARING:

10:01 a.m. James Allen Rowell - Application for License

A motion was made to close the meeting to discuss the character, professional competence, or physical and mental health of an individual. Vote: Chair Hiatt, yes; Vice Chair Miller, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Richards, yes.

CLOSED TO PUBLIC

An Executive Session was held from 11:01 a.m. to 11:11 a.m.

OPEN TO PUBLIC

Results of Informal Hearing:

Mr. Hardy will be notified by mail as to the outcome of his hearing.

A motion was made to adjourn the meeting. Vote: Vice Richards, yes; Commissioner Gardner, yes; Commissioner Gonzales, yes; Commissioner Ashton, yes. The motion is approved. The meeting adjourned at 11:11 a.m.