

MORTGAGE LOAN ORIGINATOR BOARD MINUTES

March 16, 2022

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**MORTGAGE LOAN ORIGINATOR BOARD
MEETING
VIA Webinar
March 16, 2022
COLORADO DIVISION OF REAL ESTATE**

A Mortgage Loan Originator Board public meeting was held on March 16, 2022 via webinar. Those Board Members in attendance were Jennifer Heinrich, Vice-Chair; Cindy Emerine; Fred Joseph and Charles "Buzz" Moore. Dena Falbo, Chair is excused.

Attending from the Division of Real Estate were Marcia Waters, Director; Eric Turner, Deputy Director; Natalie Lutz, Senior Advisor; Gary Kujawski, Education, Communication & Policy Manager; Sarah Halloran, Program Team Lead; Nicole Tribelhorn, Program Team Lead; Eddie Rose, Program Team Lead; and Doreen Archuleta, Director's Office. Devin Laiho is present via webinar from the Attorney General's Office.

Notice of the meeting was timely published and the meeting was held pursuant to the Colorado Sunshine Laws, Title 24, Article 6, C.R.S., as amended.

Due to closures of public spaces because of the Coronavirus pandemic, the meeting was conducted via Webinar. The meeting was called to order by Ms. Heinrich - Acting Chairwoman, at 9:00 a.m.

ORDER OF BUSINESS

Approval of Minutes - January 19, 2022

It was moved by Mr. Moore and seconded by Mr. Joseph to approve the Minutes of January 19, 2022 as submitted.



MLO Minutes_Jan 19,
2022.pdf

Motion unanimously carried.

POLICY MATTERS:

Legislative Update -

Director Marcia Waters informed the Board that no bills affecting the Mortgage Loan Originator program have been introduced currently in the Legislature.

NOTE: Licensing Matters were taken out of agenda order and were discussed before Complaint Matters.

LICENSING MATTERS:

A. Complaint #2022-49 (AV) - License Application -

The Board considered this application for a mortgage loan originator's license together with accompanying documentation and information supplied by the applicant.

On December 17, 2001, the applicant pled guilty to Possession of a Controlled Substance - Intent to Distribute, a class 3 Felony. The applicant was ordered to complete two years of probation and pay \$2,665.00 in court costs and fees. Probation was successfully completed on May 5, 2003. On June 12, 2014, the applicant's company had its Mortgage Broker license suspended for 30 days by the State of Wisconsin's Division of Banking. On December 2, 2015, the applicant's company entered into a Memorandum of Understanding with the State of Wisconsin's Division of Banking. The company voluntarily surrendered its company mortgage broker license and was prohibited from reapplying for 18 months. The company's Wisconsin mortgage broker license was reactivated on November 1, 2019. The applicant is currently licensed in AZ, FL, IL, IN, IA, MI, NV, TN, & WI.

It was moved by Ms. Emerine and seconded by Mr. Moore to approve the license application.

Motion unanimously carried.

B. Complaint #2022-82 (BG) - License Application -

The Board considered this application for a mortgage loan originator's license together with accompanying documentation and information supplied by the applicant.

On July 21, 2020, the applicant pled guilty in U.S. District Court, Southern District of California to intentionally picking up an individual in a vehicle near the U.S./Mexico border in order to hinder and prevent the individual's apprehension, trial or punishment for the crime of Improper Entry by an Alien into the United States.

It was moved by Ms. Emerine and seconded by Mr. Joseph to approve the license application.

Motion unanimously carried.

C. Complaint #2021-2128 (PH) - License Application -

The Board considered this application for a mortgage loan originator's license together with accompanying documentation and information supplied by the applicant.

On July 29, 1997, the applicant was convicted of Violations of Fireworks, a Class 3 Misdemeanor. The applicant was sentenced to 6 days, credit for time served, and a \$138.00 fine. The applicant has paid the fine in full. The case is closed.

On March 18, 2002, the applicant was convicted of a Class 5 Felony- Witness/Victim-Tampering with Attempt. The applicant was sentenced to 18 months of probation and a fine of \$980.00. The applicant has completed all terms of probation and has a \$0 balance. The case is closed.

On April 12, 2005, the applicant was convicted of Criminal Mischief \$500-\$15,000, Added Count #90 of the Indictment - a Class 5 Felony. The applicant was sentenced to 6 years Department of Corrections with 120 days credit, 36 months of Parole, and a fine of \$403.00. The applicant has completed all jail terms, parole and has paid his fines in full. The case is closed.

It was moved by Mr. Moore and seconded by Ms. Emerine to approve the license application.

Motion unanimously carried.

EXECUTIVE SESSION:

At 9:14 a.m., it was moved by Ms. Emerine, seconded by Mr. Moore, and approved by more than two-thirds vote of the Board that pursuant to §24-6-402(3)(a)(II), C.R.S., and section 24-6-402(3)(a)(III), that the Board enter into an executive session for the following purpose(s):

- Complaint #2021-2116 (PS)

Motion unanimously carried.

Executive Session is conducted via conference call.

The Board adjourned out of Executive Session at 9:47 a.m. and the Board returned to open session at 9:49 a.m.

COMPLAINT MATTERS:

A. Complaint #2021-2116 (PS) -

It was moved by Mr. Moore and seconded by Mr. Joseph to table Complaint #2021-2116 until the next MLO Meeting scheduled for May 18, 2022 to allow for additional investigation.

Motion unanimously carried.

Adjourn

The MLO Board meeting adjourned at 9:58 a.m. on March 16, 2022.

ABSENT
Dena Falbo, Chair

Jennifer Heinrich, Vice-Chair

Cindy Emerine, Board Member

Fred Joseph, Board Member

Charles "Buzz" Moore, Board Member

Marcia Waters, Director
Colorado Division of Real Estate