

**BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA**

STATE OF OKLAHOMA,)
ex rel., DEPARTMENT OF)
CONSUMER CREDIT,)
)
Petitioner)
)
v.)
)
LATOYA EDWARDS,)
)
Respondent)

Case No. 15-0059-DIS



FINAL AGENCY ORDER

On the 10th day of April, 2015, at approximately 9:37 a.m., the above numbered and entitled cause (scheduled for 9:30 a.m.) came on for hearing at the Office of the Oklahoma Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

The State of Oklahoma, ex rel. Oklahoma Department of Consumer Credit (the “Department” or “Petitioner”), was represented by the Department’s General Counsel Roy John Martin and the Respondent Latoya Edwards, whose mailing address is 2529 S. Kelly Avenue, Suite D, Edmond, Oklahoma 73013 (the “Respondent”), appeared in person pro se, after such Respondent having been mailed a copy of the Notice and Order of Hearing filed by the Department herein on March 19, 2015 (the “Notice of Hearing”), in Case No. 15-0059-DIS, pursuant to the requirements of Article II of the Administrative Procedures Act (the “APA”), 75 O.S. §§ 308a-323, by first class U.S. Mail certified with return receipt requested to the Respondent, at the address given to the Department by the Respondent at 2529 S. Kelly Avenue,

Suite D, Edmond, Oklahoma 73013 and was delivered to the Respondent through her co-worker by a representative of the U.S. Postal Service as verified through the sworn testimony of the Respondent.

The Department's General Counsel Roy John Martin, announced that he had not heard from or spoken to the Respondent about her appearance at the hearing in person. Mr. Martin indicated that as the Respondent had not contacted the Department at any time prior to the scheduled date and time of the hearing that the Department was not prepared to enter into any consent agreement with the Respondent. Continuing, Mr. Martin further indicated that the Department was recommending that the Respondent pay a fine of Two Hundred Dollars (\$200.00), that the Respondent pay a late fee of Two Hundred Ninety Dollars (\$290.00), and that the Respondent pay for the costs of the hearing.

The Respondent had an opportunity for a hearing, and to offer any witnesses or evidence, to which opportunity she declined. When questioned about each of the allegations of fact in the Notice of Hearing, the Respondent indicated that she did not challenge or disagree with any of the Department's allegations provided in the Notice of Hearing.

Accordingly, the Independent Hearing Examiner announced from the bench that his recommendation in this matter to the Department's Administrator would be that the Respondent pay a fine of Two Hundred Dollars (\$200.00), that the Respondent pay a renewal late fee of Two Hundred Ninety Dollars (\$290.00), and as the Respondent is not the prevailing party in this matter, that the Respondent pay for the costs of the hearing (being those costs of the Independent Hearing Examiner incurred in this matter as authorized in 59 O.S., §2095.17(D)).

JURISDICTION AND AUTHORITY

The Administrator of Consumer Credit (the “Administrator”) has administrative authority to administer, interpret and enforce the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act (“SAFE Act”), 59 O.S. §§ 2095 et seq., 59 O.S. § 2095.1 (2).

Penalties

1. In order to ensure the effective supervision and enforcement of the SAFE Act, the Administrator may, after notice and hearing pursuant to Article II of the Administrative Procedures Act, 75 O.S. §§ 308a et seq., impose any or any combination of the following penalties for violations of the SAFE Act:

(a) deny, suspend, revoke, censure, place on probation or decline to renew a license issued pursuant to the SAFE Act for a violation of the SAFE Act, any rules promulgated pursuant to the SAFE Act and any order of the Administrator issued pursuant to the SAFE Act;

(b) deny, suspend, revoke, censure, place on probation or decline to renew a license if an applicant or licensee fails at any time to meet the requirements of the SAFE Act or withholds information or makes a material misstatement in an application for a license or renewal of a license;

(c) order restitution against entities or individuals subject to the SAFE Act for violations of the SAFE Act or

(d) issue orders or directives under the SAFE Act as follows:

(i) order or direct entities or individuals subject to the SAFE Act to cease and desist from conducting business, including immediate temporary orders to cease and desist;

(ii) order or direct entities or individuals subject to the SAFE Act to cease

any harmful activities or violations of the SAFE Act, including immediate temporary orders to cease and desist;

(iii) enter immediate temporary orders to cease business under a license issued pursuant to the authority of the SAFE Act if the Administrator determines that such license was erroneously granted or the licensee is currently in violation of the SAFE Act;

(iv) order or direct such other affirmative action as the Administrator deems necessary, or

(v) impose a civil penalty of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each violation of the SAFE Act against a licensee or any other entity or individual subject to the SAFE Act, not to exceed Five Thousand Dollars (\$5,000.00) for all violations resulting from a single incident or transaction. 59 O.S. § 2095.17.

FINDINGS OF FACT

The Administrator of Consumer Credit finds that the following facts were proven through the Respondent's default by clear and convincing evidence:

1. The proceedings in this matter were conducted in accordance with the provisions of the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act, 59 O.S. §§ 2095 et seq. and Article II of the Administrative Procedures Act, 75 O.S. §§ 308a-323.

2. The Respondent, who appeared at the hearing on April 10, 2015, at 9:37 a.m., in person, received notice of the hearing in this matter set for April 10, 2015, at 9:30 a.m., by first class U.S. Mail, certified with return receipt requested through mail-delivery of a copy of the original Notice of Hearing filed in this matter on March 19, 2015, served upon the Respondent

through her co-worker, at the address given to the Department by the Respondent at 2529 S. Kelly Avenue, Suite D, Edmond, Oklahoma 73013, by a representative of the U.S. Postal Service.

3. The Respondent agreed that the licensing system of record for mortgage brokers and mortgage loan originators in the State of Oklahoma is NMLS.

4. The Respondent admitted that she is licensed as a mortgage loan originator in the State of Oklahoma pursuant to the SAFE Act with the following licensing information indicated by NMLS:

(a) Oklahoma license number MLO05253;

(b) NMLS unique identifier number/company ID 319008.

(c) Mailing address of record at 2529 S. Kelly Ave. Suite D, Edmond, OK 73013.

5. The Respondent admitted that her license renewal fee was not paid on or before December 1, 2014.

6. The Respondent admitted that she failed to pay \$290.00 in late license renewal fees.

CONCLUSIONS OF LAW

The Administrator of Consumer Credit concludes as follows:

1. The Respondent has violated 59 O.S. § 2095.6(M)(2) for failure to pay the late renewal fee as prescribed by rule of the Commission on Consumer Credit.

2. The Respondent has violated the Oklahoma Administrative Code 160:5-1-2(8)(D) for failure to pay the late fee assessed per day beginning on December 1, 2014.

3. The Respondent has violated 59 O.S. § 2095.18(8) for failure to comply with the

Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act, or rules promulgated under this act or failure to comply with any other state or federal law, including any rules thereunder, applicable to any business authorized or conducted under the SAFE Act.

ORDER

Based upon the findings of fact and conclusions of law in this individual proceeding and based in part upon the recommendation of the Independent Hearing Examiner, the Administrator of Consumer Credit issues the following orders:

1. The Respondent has admitted and she should be found to be a licensed as a mortgage loan originator in the State of Oklahoma pursuant to the SAFE Act with the following licensing information indicated by NMLS: (a) Oklahoma license number MLO05253; (b) NMLS unique identifier number/company ID 319008; (c) mailing address of record at 2529 S. Kelly Ave. Suite D, Edmond, OK 73013.

2. The Respondent has admitted and it should be found that her license renewal fee was not paid on or before December 1, 2014.

3. The Respondent admitted and it should be found that she failed to pay \$290.00 in late license renewal fees.

4. Accordingly, the Respondent shall pay a late license renewal fee of Two Hundred Ninety Dollars (\$290.00) under Oklahoma Administrative Code 160:5-1-2(8)(D) as authorized in 59 O.S., §2095.17, the Respondent shall pay a fine in the amount of Two Hundred Dollars (\$200.00) as authorized in 59 O.S., §2095.6(M)(2) for violation of the SAFE Act, 59 O.S., §2095.18(8), and that, as the Respondent, is not the prevailing party in this matter, the Respondent shall pay Three Hundred and Sixty Six Dollars (\$366.00) for costs of the

Independent Hearing Examiner incurred in this matter as authorized in 59 O.S., §2095.17(D).

5. The mortgage loan originator license of the Respondent is suspended until all fees, fines and costs in this matter are paid. The Respondent shall submit the payment of all fees, fines and costs in this matter to the attention of Roy John Martin, General Counsel, Oklahoma Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112. Payment shall be made in the form of a cashier's check or money order and made payable to the Oklahoma Department of Consumer Credit and shall indicate that payment is for case number 15-0059-DIS.

6. The Respondent shall cease and desist as a mortgage loan originator in the State of Oklahoma until such time as the mortgage loan originator license of the Respondent is in good standing upon payment of all fines, fees and costs in this matter.

So ordered this 29th day of May 2015



A handwritten signature in black ink, appearing to read "Scott Leshner", written over a horizontal line.

Scott Leshner
Administrator of Consumer Credit
State of Oklahoma