

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



STATE OF OKLAHOMA *ex rel.*)
DEPARTMENT OF CONSUMER CREDIT,))
)
 Petitioner)
)
v.)
)
CHURCHILL MORTGAGE)
CORPORATION,)
)
)
 Respondent)

Case No. 20-0272-DIS

CONSENT ORDER

Petitioner, State of Oklahoma *ex rel.* Department of Consumer Credit ("Petitioner") and Respondent, Churchill Mortgage Corporation, ("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) Petitioner restates and incorporates by reference the allegations made by the Petitioner in the Notice of Hearing filed in this matter.

i. Respondent has no business filing with the Oklahoma Secretary of State.

ii. The licensing system of record for mortgage loan originators, mortgage lenders and mortgage brokers in the State of Oklahoma is NMLS.

iii. Respondent is licensed as a mortgage lender in the State of Oklahoma pursuant to the SAFE Act with the following licensing information indicated by NMLS:

- (a) Oklahoma license number ML002574;
- (b) NMLS unique identifier number/company ID 1591;
- (c) Mailing address of record at 1749 Mallory Lane,

Ste. 100, Brentwood, TN 37027;

iv. On October 12, 2020 through October 16, 2020, Scott Ferguson and Evan Earnest, Consumer Credit Examiners, conducted an examination of Respondent. The examination team relied on data provided by Respondent and results from software that analyzed Respondent's loan portfolio for compliance with State and Federal lending laws and regulations. The examination team also reviewed a sample of Respondent's loan files, operating policies and procedures and information submitted by Respondent to NMLS. During the course of the examination, violations were found.

v. Respondent failed to report Lines of Credit that were established at the time on their 2020 Quarter 2 mortgage call report.

vi. Respondent failed to provide Oklahoma consumers with the notice of action taken to applications within 30 days of the consumer's application.

vii. Respondent provided Oklahoma consumers a list of settlement services that were permitted to be shopped, along with a company that may be selected for use to provide settlement services. Respondent further advised consumers of the option to shop for a different service provided for the settlement services listed. Respondent then issued a loan estimate that stated the previously shoppable settlement services could not be shopped.

viii. Respondent provided Oklahoma consumers a list of settlement services that were permitted to be shopped, along with a company that may be selected for use to provide settlement services. Respondent further advised consumers of the option to shop for a different service provided for the settlement services listed. However, the service providers that Respondent provided do not do business in the State of Oklahoma.

(2) Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter, and incorporated by reference in this Consent Order, except that Respondent admits the facts necessary to establish the Department's jurisdiction over Respondent and the subject matter of this action.

(3) Respondent agrees to pay a \$4,000.00 civil penalty payable to the Oklahoma Department of Consumer Credit, on or before February 26, 2021.

(4) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 20-0272-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(5) A file stamped copy of this Consent Order will be returned to Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(6) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 59 O.S. § 2095.17(c).



APPROVED

[Redacted Signature]

Scott Leshar, Administrator

Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: March 2, 2021

[Redacted Signature]

Churchill Mortgage Corporation

Dated: 2-24-2021

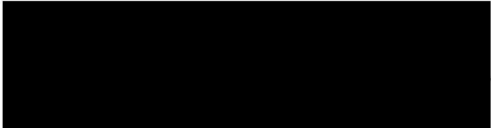
VERIFICATION OF CONSENT ORDER, CASE NUMBER 20-0272-DIS

STATE OF Tennessee)
)
COUNTY OF Williamson)

Signed and sworn to (or affirmed) before me on 2/24/2021,
2021, by a representative of Churchill Mortgage Corporation.

Churchill Mortgage Corporation

(Seal, if any)



Notary Public

My commission expires:

5/3/21

