

**UTAH RESIDENTIAL MORTGAGE  
REGULATORY COMMISSION MEETING**

Heber M. Wells Building

Room 250

9:00 a.m.

February 1, 2023

Zoom

**MINUTES**

**DIVISION MEMBERS PRESENT**

Jonathan Stewart, Division Director  
Justin Barney, Hearing Officer  
Mark Fagergren, Licensing and Education Director  
Kadee Wright, Chief Investigator  
Maelynn Valentine, Board Secretary  
Marv Everett, Investigator  
Laurel North, Lead Investigator  
Mike Page, Licensing Specialist  
Lark Martinez, Licensing Specialist  
Matt Hastings, Division Analyst

**COMMISSION MEMBERS PRESENT**

Allison Olsen, Vice Chair  
Jeff Flitton, Commissioner  
Kay Ashton, Commissioner  
Christy Vail, Commissioner

The meeting on February 1, 2023 of the Utah Residential Mortgage Regulatory Commission began at approximately 9:00 a.m. with Vice Chair Olsen conducting.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes – A motion was made and seconded to approve the minutes of the meeting held on January 4, 2023 as written. Vice Chair Olsen, yes; Commissioner Ashton yes, yes; Commissioner Flitton, yes. The motion is approved.

Public Comment Period

None

**DIVISION REPORTS**

**Director's Report – Jonathan Stewart**

Director Stewart reported on Legislation. The Legislative Session began on January 17, 2023. The Reverse Mortgage Amendments Bill that is House Bill 94, did pass the House last week, it was heard in Committee and there were a few concerns raised regarding lowering the age currently required in a Reverse Mortgage and delaying the counseling requirement to sign. The concerns were discussed and the Bill went to the House Floor and has advanced to the Senate. This item will be heard in the Business and Labor committee later this week or early next week.

Director Stewart reported on the Data Security Rule that is currently pending. Mr. Barney will address this in his portion of the meeting. Director Stewart stated that Jordan Bingham sent the Division Data Security Policy Templates and they will be available on the Division website in the near future.

Division is running a bill and there is another bill that affects the mortgage industry. The mortgage bill removes the requirement to be 62 years of age or older and changes the wording from “before a perspective borrower closes on a reverse mortgage” to “before a perspective borrower signs on a reverse mortgage.” Director Stewart will be tracking this proposed bill and will keep the Commission updated on any developments. Director Stewart thanked Jordan Bingham for his willingness to create the data security policy templates for the Division website.

**Enforcement Report – Kadee Wright**

Ms. Wright reported in December the Division received 6 complaints; closed 9 cases; leaving 109 open mortgage cases. The AG's office has four cases.

Ms. Wright reported in January the Division received 5 complaints; closed 11 cases; leaving 103 open mortgage cases. The AG's office has four cases.

**Stipulation presented by Matt Hastings**

Canopy Mortgage

**Education/Licensing Report- Mark Fagergren**

Mr. Fagergren reported on statistics, there are currently 7,069 active MLO's and Lending Managers. There are 723 inactive individuals, which means that they are on inactive status but currently licensed. Mr. Fagergren reported on the main issues when it comes to renewals. The Mortgage Licensors stated that it is the lack of understanding the requirement of the 5-hour course. The second issue is for companies, they need to be registered with Corporations on a yearly basis and lastly, licensees changing companies need to update their work history in the NMLS. 98.3% of individuals that have requested renewal have been processed. The Division saw a drop of 31% of individuals who failed to request a renewal. 5.5% of Lending Managers failed to renew and there was a 35% reduction on the amount of MLO's that renewed. If all companies and individuals were combined only 71% requested renewal. The mortgage licensors with the Division have been and remain busy.

**COMMISSION AND INDUSTRY ISSUES- Justin Barney**

Mr. Barney reported on the proposed rule amendment recently approved for filing by the Commission. The amendment is currently before the Department of Commerce for their review. Once that is complete then it will move to the Division of Administrative Rules, then from there to the Governor's Office. Mr. Barney will inform the Commission once this amendment is available for public comment. Some of the items that are included in the proposed rule amendment are Data Security, Customer notification of a suspected security breach and lending managers responsibility for reasonable supervision.

**CLOSED TO PUBLIC**

Executive session from 9:28 a.m. to 9:38 a.m.

**OPEN TO PUBLIC**

A motion was made and seconded to approve the stipulation for Canopy Mortgage. Vote: Vice Chair Olden, yes; Commissioner Ashton yes, yes; Commissioner Flitton, yes, Commissioner Vail, yes. The motion is approved with concurrence of the Division.

A motion was made to adjourn the meeting. The meeting adjourned at 9:39 a.m.