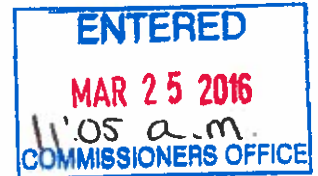


COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
ADMINISTRATIVE AGENCY ACTION NO. 2016-AH-00034



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

DANE CHRISTENSEN

RESPONDENT

FINAL ORDER

The Department of Financial Institutions (“DFI”) is responsible for administering the provisions of Kentucky Revised Statutes (“KRS”) Chapter 286.8, as well as any applicable rules, regulations and Orders entered pursuant to KRS 286.8. Pursuant to KRS 286.8-044(1) and KRS 286.8-255(9)(b)(1), the Commissioner of the DFI enters this Final Order denying the application of Dane Christensen (“Respondent”) for registration as a mortgage loan originator.

FINDINGS OF FACT

1. On January 5, 2016, Respondent applied to DFI’s Division of Nondepository Institutions for registration as a mortgage loan originator.
2. As a part of that application, Respondent requested a Federal Criminal Background Check.
3. A “Criminal Background Check RASheet” produced by the United States Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services

Division revealed that on September 1, 2011, Respondent was adjudged guilty of a Class C felony by a Missouri Circuit Court.

4. On February 11, 2016, counsel for DFI mailed a Notice of Entry of Order of Denial of Mortgage Loan Originator Registration to Respondent. The notice was sent via certified mail, return receipt requested, to Respondent's last known address, 71 East Mahogany Hill Way, Draper, Utah 84020. The notice explained that the Commissioner would enter a Final Order denying the application for registration as a mortgage loan originator unless Respondent withdrew the application or made a written request for an administrative hearing within twenty days of service of the notice.

5. Service was complete on February 25, 2016 when Respondent received the notice.

6. More than twenty days have passed since service was completed and Respondent has not withdrawn his application or requested a hearing.

STATUTORY AUTHORITY

7. 12 U.S.C.A. § 5104(b)(2)(A) sets the minimum standards for registration as a state-licensed loan originator and prohibits a person from obtaining registration as a State-licensed loan originator if the applicant was "convicted of, or pled guilty or nolo contendere to, a felony in a domestic, or foreign, or military court during the seven years preceding the date of application."

8. KRS 286.8-255(9)(b)(1) adopted the federal standard and precludes the Commissioner from granting a certificate of registration to a mortgage loan originator if the applicant has been convicted of, pled guilty to, or pled nolo contendere to a felony in any domestic court during the seven years preceding the date of the application for registration.

9. KRS 286.8-044 provides that notice of entry of an order of denial of a registration shall be given in writing and served personally or sent by certified mail to the last known address of the registrant; that the registrant is entitled to a hearing upon written request to the Commissioner within twenty days of service of the notice; and that if no written request is received in twenty days of service, the Commissioner shall enter a final order denying an application for registration.

CONCLUSIONS OF LAW

10. Respondent was convicted of a felony in a Missouri court within the seven years' preceding the date of his application to be registered as a mortgage loan originator in the Commonwealth of Kentucky.

11. The Commissioner of the DFI finds that pursuant to KRS 286.8-255(9)(b)(1), Respondent's application must be denied.

12. Since Respondent was served with notice of the Commissioner's intent to deny his registration as a mortgage loan originator and did not request a hearing within twenty days of that service, the Commissioner is authorized under KRS 286.044(1) to enter this Final Order.

ORDER

13. **THEREFORE**, based upon the foregoing findings of fact, statutory authority and conclusions of law, the Commissioner hereby **ORDERS** that Dane Christensen's application for registration as a mortgage loan originator is **DENIED**.

14. This is a **FINAL AND APPEALABLE ORDER**. The **EFFECTIVE DATE** of this order shall be the date reflected on the certificate of service attached to this order.

IT IS SO ORDERED on this the 24th day of March 2016.



CHARLES A. VICE
COMMISSIONER

NOTICE OF APPEAL RIGHTS

Pursuant to KRS 286.8-210, you are hereby notified that any person aggrieved by this Final Order of the Commissioner may obtain a review of the Order by the Franklin Circuit Court. If you choose to appeal, you must file a written petition asking that the order be modified or set aside in whole or in part in the Franklin Circuit Court within sixty (60) days after the date reflected on the certificate of service attached to this Final Order. A copy of the petition must be served upon the Commissioner.

Certificate of Service

I hereby certify that a copy of the foregoing **Final Order** was sent by certified mail return receipt requested on this the 25 day of March, 2016, to the following:

Dane Christensen
71 East Mahogany Hill Way
Draper, Utah 84020

And hand delivered to:

Taylor Payne
Department of Financial Institutions
1025 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601



Christina Hayden
Department of Financial Institutions