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9
10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
11 OF THE STATE OF CALIFORNIA

12 In the Matter of THE COMMISSIONER OF) NMLS No. 870959
13 BUSINESS OVERSIGHT,)
14 Complainant,) STATEMENT OF ISSUES IN SUPPORT OF
DENIAL OF MORTGAGE LOAN
15 vs.) ORIGINATOR LICENSE
16 PETER ANTHONY GONTANG,)
17 Respondent.)
18)
19)

20 The Complainant is informed and believes, and based upon such information and belief,
21 alleges and charges Respondent as follows:

22 I.
23 INTRODUCTION

24 On or about April 28, 2014, Complainant determined to deny a mortgage loan originator
25 license to Peter Anthony Gontang ("Respondent" and/or "Gontang") pursuant to Financial Code
26 section 50141 in that Gontang pled guilty to a felony involving an act of fraud, dishonesty, a breach
27 of trust or money laundering.

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II.**THE APPLICATION**

On or about October 1, 2013, Respondent filed an application for a mortgage loan originator license with the Commissioner of Business Oversight (“Complainant” or “Commissioner”) pursuant to the California Residential Mortgage Lending Act (“CRMLA”) (Financial Code, §§ 50000 et. seq.), in particular, Financial Code section 50140. The application was for employment as a mortgage loan originator. Gontang submitted his application to the Commissioner by filing Form MU4 through the Nationwide Mortgage Licensing System (“NMLS”).

On the form MU4 under “Disclosure Questions”, (F)(1), specifically asked: “Have you ever been convicted of or pled guilty or nolo contendere (“no contest”) in a domestic, foreign, or military court to any felony?” Respondent answered “yes.” In providing details about his felony conviction, Respondent stated: “1992 Portland Oregon, Conspiracy to Counterfeit. I was 23 at the time and stupidly got involved with a friend who needed my help because of a art background. We ended up only passing 3-4 bills and had actually stopped doing the act before the Secret Service contacted us. We had burned all the bills and returned the printing press. . . . I was given a light sentence 6 mos at a half way house and 6 mos in home confinement. I had 3 yrs probation and a \$500 fine.” The Respondent provided a copy of his criminal indictment captioned *United States of America v. Cedric DeWayne Walker, Robert Trent Zabelle, and Peter Anthony Gontang*, case number CR 92-232, before the U.S. District Court, District of Oregon. On or about December 14, 1992, Gontang plead guilty to Conspiracy to counterfeit U.S. obligations, pursuant to sections 371, 471 and 472 of title 18 of the United States Code. Respondent signed the Form MU4 swearing that the answers were true and complete to the best of Respondent’s knowledge.

III.**CRIMINAL CONVICTION**

As set forth above in section II., Respondent stated in his Form MU4 that he pled guilty to a felony in 1992. The documentation received by the Commissioner during the application process disclosed that Respondent, on or about December 14, 1992, in U.S. District Court, District of

1 Oregon, pled guilty to violating sections 371, 471 and 472 of title 18 of the United States Code,
2 Conspiracy to counterfeit U.S. obligations.

3 Financial Code section 50141 provides in relevant part:

4 (a) The commissioner shall deny an application for a mortgage
5 loan originator license unless the commissioner makes at a
6 minimum the following findings:

7 . . .

8 (2)(A) The applicant has not been convicted of, or pled guilty or nolo
9 contendere to, a felony in a domestic, foreign, or military court
10 during the seven-year period preceding the date of the application
11 for licensing and registration, or at any time preceding the date of
12 application, if such felony involved an act of fraud, dishonesty, a
13 breach of trust, or money laundering. . . .

14 **IV.**

15 **CONCLUSION**

16 Complainant finds, by reason of the foregoing, that Respondent pled guilty to sections 371,
17 471 and 472 of title 18 of the United States Code, Conspiracy to counterfeit U.S. obligations, which
18 constitutes a felony involving an act of fraud, dishonesty, a breach of trust, or money laundering.

19 THEREFORE, Complainant asserts that Financial Code section 50141 mandates that
20 Complainant deny a mortgage loan originator license to Respondent under the CRMLA.

21 WHEREFORE IT IS PRAYED that the determination of Complainant to deny a mortgage
22 loan originator license to Respondent in connection with Respondent’s October 1, 2013, application
23 be upheld.

24 Dated: February 24, 2015
25 Sacramento, CA

JAN LYNN OWEN
Commissioner of Business Oversight

26 By _____
27 JOANNE ROSS
28 Senior Corporations Counsel
Enforcement Division