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8  
9 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
10 OF THE STATE OF CALIFORNIA

11 In the Matter of: ) NMLS FILE NO.: 1639259  
12 )  
13 THE COMMISSIONER OF BUSINESS )  
OVERSIGHT, ) STATEMENT OF ISSUES IN SUPPORT OF  
14 ) NOTICE OF INTENTION TO ISSUE ORDER  
Complainant, ) DENYING MORTGAGE LOAN  
15 ) ORIGINATOR LICENSE APPLICATION  
v. )  
16 )  
MICHELLE DENISE ROBINSON, )  
17 )  
Respondent. )

18  
19 The Complainant, the Commissioner of Business Oversight (Commissioner), alleges and  
20 charges Respondent, Michelle Denise Robinson (Robinson), as follows:

21 **I.**

22 **INTRODUCTION**

23 1. The Commissioner licenses and regulates mortgage loan originators, finance lenders, and  
24 brokers under the California Financing Law (Fin. Code, § 22000 et seq.) (CFL).<sup>1</sup>

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28 <sup>1</sup> Effective October 4, 2017, the name of the “California Finance Lenders Law” changed to the “California Financing Law.” (Assem. Bill No. 1284 (2017-2018 Reg. Sess.) § 4.) For purposes of this document, a reference to the California Financing Law means the California Finance Lenders Law before October 4, 2017 and the California Financing Law on and after that date. (Cal. Fin. Code, § 22000.)

1 2. To become licensed by the Commissioner as a mortgage loan originator (MLO), an  
2 individual must submit a uniform application form (known as the MU2 or MU4 form) through the  
3 Nationwide Mortgage Licensing System & Registry (NLMS).

4 3. On October 18, 2017, Robinson applied to the Department of Business Oversight (DBO) for  
5 an MLO license by submitting a Form MU4 through the NMLS.

6 4. Between October 18, 2017 and February 9, 2018, Robinson submitted seven amendments to  
7 her Form MU4 through the NMLS.

8 5. The Commissioner intends to issue an order denying Robinson’s October 18, 2017  
9 application, as amended, for a MLO license pursuant to Financial Code section 22109.1 because  
10 Robinson has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic court  
11 and that felony involved an act of fraud, dishonesty, a breach of trust, or money laundering.

12 **II.**

13 **ROBINSON’S 1989 THEFT CONVICTION**

14 6. On or about June 26, 1989, an Illinois criminal court entered a judgment convicting Robinson  
15 of two felonies in that State, namely: theft and theft by deception.

16 7. Theft crimes necessarily involve dishonesty. (*People v. Wheeler* (1992) 4 Cal. 4th 284, 297.)

17 8. Robinson therefore has been convicted of, or pled guilty or nolo contendere to, a felony in a  
18 domestic court and that felony involved an act of fraud, dishonesty, a breach of trust, or money  
19 laundering, failing to meet the requirement for licensure provided by Financial Code section  
20 22109.1, subdivision (a)(2)(A).

21 **III.**

22 **GROUND TO DENY ROBINSON’S APPLICATION**

23 9. The CFL requires the Commissioner to deny a mortgage loan originator license unless the  
24 Commissioner finds that the applicant has not ever been convicted of a felony involving an act of  
25 fraud, dishonesty, a breach of trust, or money laundering. (Fin. Code, § 22109.1, subd. (a)(2)(A).)

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**IV.**

**CONCLUSION**

Based on the foregoing, the Commissioner asserts that she is justified under Financial Code section 22109.1 to deny the issuance of a MLO license to Robinson.

WHEREFORE, the Commissioner prays that the application for a mortgage loan originator license filed by Michelle Denise Robinson on October 18, 2017, as amended, be denied.

Dated: July 2, 2018  
Sacramento, CA

JAN LYNN OWEN  
Commissioner of Business Oversight

By \_\_\_\_\_  
JEREMY F. KOO  
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