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

11 In the Matter of:)	NMLS ID: 361551
)	
12 THE COMMISSIONER OF BUSINESS)	ORDER DENYING APPLICATION FOR
13 OVERSIGHT,)	MORTGAGE LOAN ORIGINATOR
)	LICENSE
14 Complainant,)	
)	
15 v.)	
)	
16 SAMUEL TODD STAMPER,)	
)	
17 Respondent.)	
)	
)	
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24 The Complainant, the Commissioner of Business Oversight (Commissioner), of the
25 Department of Business Oversight (Department), finds that:

26 1. On or around March 1, 2019, Stamper filed an application for an MLO license with
27 the Commissioner by submitting a Form MU4 through the Nationwide Mortgage Licensing System
28 (NMLS) (hereinafter, Application) pursuant to Financial Code section 50140.

1 2. Disclosure Question (F)(1) in the Application asked: “Have you ever been convicted
2 of or pled guilty or nolo contendere (‘no contest’) in a domestic, foreign, or military court to any
3 felony?” Stamper answered, “Yes.”

4 3. On or around November 28, 1989, in *State of Florida v. Samuel Todd Stamper*, Case
5 No. 89-5962, the State Attorney for the Seventh Judicial Circuit of the State of Florida filed an
6 Amended Information charging Stamper with Count I, Burglary of a Dwelling, in Violation of F.S.
7 810.02(3),¹ stating, in relevant part:

8 In that Samuel Todd Stamper, on or about the 26th day of August, 1989,
9 within Volusia County, Florida, did unlawfully enter or remain in a certain
10 dwelling, located at . . . in the County and State aforesaid, the property of .
11 . . . [owner] as owner or custodian thereof, without consent of . . . [owner]
12 with the intent to commit an offense therein, to-wit: theft

13 4. On or around February 16, 1990, Stamper pleaded nolo contendere to Burglary of a
14 Dwelling.

15 5. On or around April 23, 1990, the Court entered Stamper’s plea of nolo contendere to
16 the offense of Count I: Burglary of a Dwelling, a Second-Degree Felony, ordering Stamper to five
17 years of probation and to pay \$246.80 in restitution.

18 6. Financial Code section 50141 provides in relevant part:

19 (a) The commissioner ***shall deny*** an application for a mortgage loan
20 originator license unless the commissioner makes at a minimum the
21 following findings: . . .

22 (2) (A) The applicant has not been convicted of, or ***pled*** guilty or ***nolo***
23 ***contendere to, a felony*** in a domestic, foreign, or military court . . . ***at any***
24 ***time preceding the date of application, if such felony involved an act of***
25 ***fraud, dishonesty***, a breach of trust, or money laundering. Whether a
26 particular crime is classified as a felony shall be determined by the law of
27 the jurisdiction in which an individual is convicted (Emphasis
28 applied.)

¹ Florida Statutes Section 810.02(3) provides, in relevant part: “Burglary is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the course of committing the offense, the offender does not make an assault or battery and is not and does not become armed with a dangerous weapon or explosive, and the offender enters or remains in a: (a) Dwelling . . . (c) Structure” (F.S. § 810.02(3).)

Section 810.02(1)(a) provides, “For offenses committed on or before July 1, 2001, ‘burglary’ means entering or remaining in a dwelling, a structure, or a conveyance with the intent to commit an offense therein, unless the premises are at the time open to the public or the defendant is licensed or invited to enter or remain.” (F.S. § 810.02(1)(a).)

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7. The Commissioner finds that Stamper does not meet at least one of the minimum requirements for issuance of a mortgage loan originator license, namely, Financial Code section 50141, subdivision (a)(2) requiring that Stamper has not pleaded nolo contendere to a felony at any time preceding the date of the Application if such felony involved an act of fraud, dishonesty, a breach of trust, or money laundering.² Having found that Stamper pleaded nolo contendere to a felony involving an act of dishonesty prior to the date of the Application, pursuant to Financial Code section 50141, subdivision (a), the Commissioner shall deny Stamper’s application for a mortgage loan originator license.

8. On February 11, 2020, the Commissioner issued a Notice of Intention to Deny Application for Mortgage Loan Originator License, Statement of Issues, and accompanying documents (Notice of Intention to Deny) based on the above findings. On or around March 5, 2020, the Commissioner served Stamper with the Notice of Intention to Deny via regular U.S. mail and certified mail, return receipt requested, at Stamper’s business address on file with the Commissioner. Stamper did not request a hearing and the time to request a hearing has expired.

NOW GOOD CAUSE APPEARING THEREFOR, it is hereby ordered that the Application filed by Samuel Todd Stamper for a mortgage loan originator license is denied. This order is effective as of the date hereof.

Dated: March 30 , 2020
Los Angeles, California

MANUEL P. ALVAREZ
Commissioner of Business Oversight

By _____
MARY ANN SMITH
Deputy Commissioner
Enforcement Division

² See *People v. Rodriguez* (1986) 177 Cal.App.3d 174, 178 (“Since robbery and burglary each necessarily involve a specific intention to commit a theft, or in the case of burglary, a theft or a felony within a protected structure, each involves elements of dishonesty and a readiness to do evil.”)