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

12 In the Matter of:) NMLS LICENSE NO. 1191605
13)
14 THE COMMISSIONER OF BUSINESS) STATEMENT OF ISSUES
OVERSIGHT,)
15)
16 Complainant,)
v.)
17)
18 SERGIO ROBLES,)
Respondent.)
19)
20)
21)

22 Manuel P. Alvarez, the Commissioner of Business Oversight (Commissioner), is informed
23 and believes, and based on such information and belief, alleges and charges Respondent Sergio
24 Robles (Robles) as follows:

25 I.

26 **Jurisdiction**

27 1. The Commissioner has jurisdiction over the licensing and regulation of persons
28

1 engaged in the business of making or brokering residential mortgage loans, including mortgage loan
2 originators, under the California Financing Law (CFL) (Fin. Code, § 22000 et seq.).

3 2. Respondent Robles applied for a mortgage loan originator (MLO) license with the
4 Commissioner.

5 3. Under the provisions of Financial Code section 22109.1 of the CFL, the
6 Commissioner brings this action to deny Robles' MLO license application because Robles pleaded
7 guilty to a felony involving an act of money laundering.

8 **II.**

9 **Statement of Facts**

10 *Felony Money Laundering Conviction*

11 4. On April 2, 2001, in the United States District Court, Central District of California
12 (Eastern Division), in case number CR 00-37-RT, Robles pleaded guilty to conspiracy to launder
13 property represented to be proceeds of a specified unlawful activity (drug trafficking) in violation of
14 title 18 United States Code section 1956(H), 1956(A)(3)(B) (the money laundering conviction).

15 5. The district court sentenced Robles to serve five months in prison, followed by
16 supervised release for a term of three years. The court also ordered Robles pay restitution to the
17 federal government in the amount of \$79,000.

18 6. Robles' money laundering conviction carried a maximum penalty of not more than 20
19 years in prison (18 U.S.C. § 1956(a)) and is therefore considered a felony under federal law. (18
20 U.S.C. § 3559(a)(3) [an offense that carries a maximum sentence of less than twenty-five years but
21 ten or more years is classified as a Class C felony].)

22 *2020 California Application*

23 7. In order to become licensed by the Commissioner as an MLO, an individual must
24 submit a uniform application form (known as the MU4) through the Nationwide Mortgage Licensing
25 System and Registry (the NMLS).

26 8. On March 20, 2020, Robles applied for an MLO license by filing a Form MU4
27 through the NMLS. Robles's application was sponsored by OnY Glo, Inc. (OIG), a residential
28 mortgage lender licensed under the CFL.

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III.

Failure to Meet Minimum Criteria for License

9. The Commissioner must deny an MLO license if the licensee fails to meet the minimum criteria for licensure, which includes a requirement that the applicant has not been convicted of felony money laundering at any time preceding the date of application. (Fin. Code, § 22109.1, subdivision (a)(2)(A).)

10. As described in paragraph 4, above, on April 6, 2001, Robles pleaded guilty to and was convicted of felony money laundering in federal district court.

11. Thus, Robles does not meet the minimum criteria for licensure under the CFL, and his application must be denied.

IV.

Applicable Statutes

12. Financial Code section 22109.1 provides in pertinent part:

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

(2)(A) The applicant has not been convicted of, or pled guilty or nolo contendere to, a felony in a domestic, foreign, or military court . . . at any time preceding the date of application, if the felony involved an act of . . . money laundering. Whether a particular crime is classified as a felony shall be determined by the law of the jurisdiction in which an individual is convicted[.] (emphasis added.)

V.

Prayer

For the reasons set forth above, the Commissioner finds that Robles does not meet the minimum requirements for the issuance of an MLO license as provided by Financial Code section 22109.1, subdivision (a)(2)(A) when Robles pleaded guilty to a felony involving an act of money laundering.

Accordingly, the Commissioner has grounds for denying Robles' MLO license application.

1 WHEREFORE IT IS PRAYED that the MLO license application filed by Sergio Robles be
2 denied.

3 Dated: June 29, 2020
4 Los Angeles, California

MANUEL P. ALVAREZ
Commissioner of Business Oversight

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6 By: _____
7 Blaine A. Noblett
8 Senior Counsel
9 Enforcement Division
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