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BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
OF THE STATE OF CALIFORNIA

In the Matter of:)	NMLS NO.: 1931698
THE COMMISSIONER OF FINANCIAL PROTECTION AND INNOVATION,)	STATEMENT OF ISSUES
Complainant,)	
v.)	
DERRICK TRENTON BREW,)	
Respondent.)	

The Commissioner of Financial Protection and Innovation (Commissioner) is informed and believes, and based upon such information and belief, alleges and charges Respondent as follows:

I.

Jurisdiction

1. The Commissioner has jurisdiction over the licensing and regulation of persons engaged in the business of making or brokering residential mortgage loans, including mortgage loan originators, under the California Financing Law (CFL) (Fin. Code, § 22000 et seq.). The Commissioner also has jurisdiction over the licensing and regulation of persons engaged in the business of making or servicing residential mortgage loans, including mortgage loan originators, under the California Residential Mortgage Lending Act (CRMLA) (Fin. Code, § 50000 et seq.).

2. On February 3, 2020, Respondent Derrick Trenton Brew (Brew) applied to the

1 Commissioner for a mortgage loan originator (MLO) license under the CFL and CRMLA.

2 3. The Commissioner brings this action to deny the issuance of an MLO license to
3 Brew under Financial Code sections 22109.1 and 50141 because Brew: (1) was convicted of two
4 felonies involving an act of fraud, dishonesty, a breach of trust, or money laundering and (2) has not
5 demonstrated such financial responsibility, character, and general fitness as to command the
6 confidence of the community and to warrant a determination that he will operate honestly, fairly,
7 and efficiently as an MLO.

8 **II.**

9 **Statement of Facts**

10 4. To become licensed by the Commissioner as an MLO, an individual must submit a
11 uniform application form (known as the MU2 or MU4 form) through the Nationwide Mortgage
12 Licensing System and Registry (NMLS).

13 5. On February 3, 2020, Brew applied for an MLO license by filing a Form MU4
14 through NMLS. His application was sponsored by a lender licensed under the CFL and CRMLA.

15 6. Form MU4 question (A)(1) asked: “Have you filed a personal bankruptcy petition or
16 been the subject of an involuntary bankruptcy petition within the past 10 years?”

17 7. Brew answered “Yes” to question (A)(1). In the event explanation for question
18 (A)(1), Brew stated that in 2012 he filed for chapter 7 bankruptcy because of financial and
19 employment difficulties stemming from his 2010 felony conviction. Brew provided supporting
20 documents for his explanation.

21 8. Form MU4 question (F)(1) asked: “Have you ever been convicted of or pled guilty
22 or nolo contendere (‘no contest’) . . . to any felony?”

23 9. Brew answered “Yes” to question (F)(1). In the event explanation for question
24 (F)(1), Brew stated that in 2006 he engaged in a check-kiting scheme and was convicted in 2010
25 after pleading guilty to “two checks.” Brew provided supporting documents for his explanation,
26 including the indictment, which was filed on April 1, 2009; the judgment, which was filed on
27 January 12, 2010; and an unsigned, undated plea agreement. The first page of the indictment and
28 judgment, however, were missing.

1 laundering. Whether a particular crime is classified as a felony shall be
2 determined by the law of the jurisdiction in which an individual is
convicted.

3 (B) For purposes of this paragraph, an expunged or pardoned felony
4 conviction shall not require denial of an application. However, the
5 commissioner may consider the underlying crime, facts, or
6 circumstances of an expunged or pardoned felony conviction when
determining the eligibility of an applicant for licensure under this
7 paragraph or paragraph (3).

8 (3) The applicant has demonstrated such financial responsibility,
9 character, and general fitness as to command the confidence of the
10 community and to warrant a determination that the mortgage loan
11 originator will operate honestly, fairly, and efficiently within the
12 purposes of this division.

13 **VI.**

14 **Prayer**

15 For the foregoing reasons, the Commissioner finds that Derrick Trenton Brew was
16 convicted of two felonies involving an act of fraud, dishonesty, a breach of trust, or money
17 laundering before the date of his application for a mortgage loan originator license within the
18 meaning of Financial Code sections 22109.1, subdivision (a)(2), and 50141, subdivision (a)(2).

19 The Commissioner also finds that Brew has not demonstrated the financial responsibility,
20 character, and general fitness required under Financial Code sections 22109.1, subdivision (a)(3),
21 and 50141, subdivision (a)(3).

22 Accordingly, the Commissioner must deny Brew’s application for a mortgage loan
23 originator license.

24 WHEREFORE, IT IS PRAYED that Brew’s application for a mortgage loan originator
25 license be denied.

26 Dated: January 4, 2021
27 Los Angeles, California

28 **MANUEL P. ALVAREZ**
Commissioner of Financial Protection and Innovation

By: _____
SAMUEL J. PARK
Counsel
Enforcement Division