

1 MARY ANN SMITH  
Deputy Commissioner  
2 Department of Financial Protection and Innovation  
2101 Arena Boulevard  
3 Sacramento, CA 95834  
Attorneys for Complainant  
4

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

7 In the Matter of the: ) CRMLA LICENSE NO.: 41DBO-45927  
)  
8 THE COMMISSIONER OF FINANCIAL )  
9 PROTECTION AND INNOVATION, )  
)  
10 Complainant, )  
) ACCUSATION  
11 v. )  
)  
12 GRAYSTONE FUNDING COMPANY, LLC, )  
13 )  
14 Respondent. )  
15 )

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17 The Commissioner of Financial Protection and Innovation (Commissioner) is informed and  
18 believes, and based upon such information and belief, alleges and charges Respondent Graystone  
19 Funding Company, LLC (Respondent) as follows:

20 **I.**

21 **Introduction**

22 1. The Commissioner is authorized to administer and enforce the provisions of the  
23 California Residential Mortgage Lending Act (Fin. Code, § 50000 et seq.) (CRMLA) and the rules  
24 and regulations promulgated thereunder.

25 2. Respondent is a residential mortgage lender licensed by the Commissioner pursuant to  
26 the CRMLA. Respondent’s principal place of business is 1966 East 6200 South, Salt Lake City, Utah,  
27 84121.

28 3. Pursuant to Financial Code sections 50307 and 50401, all licensees under the CRMLA

1 are required to file an annual Report of Principal Amount of Loans and Aggregate Amount of Loans  
2 Serviced (“Annual Report”) on or before March 1 of each year for the preceding 12 month period  
3 ending December 31.

4 4. On or about December 27, 2020, an electronic notice was sent to Respondent’s  
5 designated email address informing them that their Annual Report was due on March 1, 2021 and that  
6 failure to file their Annual Report by the deadline could result in suspension or revocation of their  
7 license.

8 5. On or about January 31, 2021, a second electronic notice was sent to Respondent’s  
9 designated email address reminding Respondent that their Annual Report was due on March 1, 2021  
10 and that failure to file their Annual Report by the deadline could result in suspension or revocation of  
11 their license.

12 6. On or about February 24, 2021, a third electronic notice was sent to Respondent’s  
13 designated email address and also submitted to Respondent through the Nationwide Mortgage  
14 Licensing System & Registry (NMLS) reminding them that their Annual Report was due on March 1,  
15 2021 and that failure to file their Annual Report by the deadline could result in suspension or  
16 revocation of their license.

17 7. On or about March 16, 2021, a final electronic notice was sent to Respondent’s  
18 designated email address and through the NMLS informing Respondent that the Commissioner has not  
19 received their Annual Report and that the Annual Report is due on March 1, 2021 and that the failure  
20 to file their Annual Report by the deadline could result in suspension or revocation of their license.

21 8. On or about March 16, 2021, the Commissioner called Respondent and informed them  
22 that their Annual Report was due on March 1, 2021 and that the Commissioner may proceed on  
23 revoking Respondent’s license if they failed to file their Annual Report immediately.

24 9. Respondent has yet to file its Annual Report as required under Financial Code sections  
25 50307 and 50401.

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**II.**

**Law**

10. Financial Code section 50307 provides, in pertinent part:

(a) Each residential mortgage lender or servicer licensee shall file a report with the commissioner annually, on or before the first day of March, giving the relevant information that the commissioner reasonably requires to make the calculation required by subdivision (a) of Section 50401. The report shall be made under oath and in the form prescribed by the commissioner.

11. Financial Code section 50327 provides, in pertinent part:

(a) The commissioner may, after notice and a reasonable opportunity to be heard, deny, decline to renew, suspend, or revoke any license if the commissioner finds that:

(1) The licensee has violated any provision of this division or any rule or order of the commissioner thereunder.

(2) Any fact or condition exists that, if it had existed at the time of the original application for the license, reasonably would have warranted the commissioner in refusing to issue the license originally.

12. Financial Code section 50401 provides, in pertinent part:

(a) ... In order for the commissioner to calculate the assessment under this section, each licensee shall file an annual report for the calendar year just ended containing the information required by the commissioner on or before March 1 of the year in which the assessment is to be calculated.

**III.**

**Conclusion**

The Commissioner finds that, by reason of the foregoing, Respondent has violated Financial Code sections 50307 and 50401, and based thereon, grounds exist to revoke Respondent's residential mortgage lender license.

WHEREFORE, IT IS PRAYED that Graystone Funding Company, LLC's residential mortgage lender license be revoked.

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Dated: June 28, 2021  
Sacramento, California

CHRISTOPHER S SHULTZ  
Acting Commissioner of Financial Protection and Innovation



By \_\_\_\_\_  
MEIRCEE BOULAHROUD  
Special Administrator  
California Residential Mortgage Lending Act