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

In the Matter of:

NMLS ID. 320166

THE COMMISSIONER OF THE
DEPARTMENT OF FINANCIAL
PROTECTION AND INNOVATION,

STATEMENT OF ISSUES

Complainant,

v.

BEN ALEXANDER-OWENS ANDERSON, an
individual

Respondent.

Christopher S. Shultz, the Commissioner of Financial Protection and Innovation
(Commissioner), is informed and believes, and based on such information and belief, alleges and
charges Respondent Ben Alexander-Owens Anderson (Anderson) as follows:

I.

Jurisdiction

1. The Commissioner has jurisdiction over the licensing and regulation of persons
engaged in the business of making or brokering or servicing residential mortgage loans, including
mortgage loan originators, under the California Residential Mortgage Lending Act (CRMLA) (Fin.

1 Code, § 50000 et seq.).

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

4 3. Under the provisions of Financial Code sections 50141 and 50513 of the CRMLA,
5 the Commissioner brings this action to deny Anderson’s pending MLO license application because
6 Anderson previously had an MLO license revoked by the Commissioner and he therefore does not
7 meet the minimum qualifications to now hold a MLO license.

8 **II.**

9 **Statement of Facts**

10 **A. Revocation of Anderson’s License**

11 1. On March 12, 2018, the Department of Financial Protection and Innovation, formerly
12 the Department of Business Oversight (Department), filed an accusation seeking to revoke an MLO
13 license issued to Ben Alexander-Owens Anderson.

14 2. In the accusation, the Department alleged that, while employed as an MLO with
15 Mount Olympus Mortgage Company (MOMCo), Anderson: (1) failed to obtain borrower consent
16 prior to sharing borrower confidential financial information with MOMCo’s competitor; (2) failed to
17 promptly disclose in his license renewal application information regarding a civil lawsuit, styled
18 *Mount Olympus Mortgage Company v. Anderson et al.* (case number 30-2014-00729438-CU-PT-
19 CJC), seeking to enjoin him from conducting business in financial services; and (3) took borrower
20 data without authorization and transferred that data to MOMCo’s competitor.

21 3. The Department filed an amended accusation on May 29, 2018, additionally alleging
22 that Anderson failed to timely disclose in his license renewal application multiple unsatisfied
23 business and tax liens against him.

24 4. On December 5, 2018, the Administrative Law Judge issued a proposed decision
25 revoking Anderson’s MLO license, which was adopted by the Commissioner on February 21, 2019.

26 5. The revocation of Anderson’s MLO license became effective on March 23, 2019.

27 **B. Anderson’s Petition for Reconsideration**

28 6. After revocation of his MLO license, Anderson filed a petition for reconsideration,

1 dated March 8, 2019, with the Department.

2 7. The Commissioner denied Anderson’s petition for reconsideration on March 22,
3 2019.

4 **C. Anderson’s Application for Licensure and Petition for Reinstatement**

5 8. On November 4, 2019, Anderson submitted an application, called a Form MU4, for
6 licensure as an MLO with the Department.

7 9. While his application for licensure was pending, Anderson filed a petition for
8 reinstatement of his MLO license with the Department on or about August 17, 2020.

9 10. The Commissioner denied Anderson’s petition for reinstatement, on October 21,
10 2020, finding that Anderson failed to show that he is presently capable of meeting the threshold
11 standards required for an MLO license and that he no longer poses a threat to the public.

12 **III.**

13 **Failure to Meet Minimum Criteria for License**

14 11. The Commissioner must deny an MLO license if the applicant fails to meet the
15 minimum criteria for licensure, which includes a requirement that the applicant has never had an
16 MLO license revoked. (Fin. Code, § 50141, subd. (a)(1).)

17 12. As described in paragraphs 1 through 5, above, Anderson’s MLO license was
18 previously revoked by the Commissioner.

19 13. Thus, Anderson does not meet the minimum criteria for licensure under the CRMLA
20 and his application must be denied.

21 **IV.**

22 **Applicable Statutes**

23 14. Financial Code section 50141, subdivision (a)(1), provides in pertinent part:

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

26 (1) The applicant has never had a mortgage loan originator license revoked
27 in any governmental jurisdiction, except that a subsequent formal vacation
28 or set aside of such revocation shall not be deemed a revocation.

(Fin. Code, § 50141, subd. (a)(1) [emphasis added].)

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15. Financial Code section 50513, subdivision (a)(1), provides in pertinent part:

(a) The commissioner may do one or more of the following:

...

(2) Deny, suspend, revoke, condition, or decline to renew a mortgage loan originator license if an applicant or licensee fails at any time to meet the requirements of Section 50141.

(Fin. Code, § 50513, subd. (a)(2).)

V.

Prayer

For the reasons set forth above, the Commissioner finds that Ben Alexander-Owens Anderson does not meet the minimum requirements for the issuance of an MLO license as provided by Financial Code section 50141, subdivision (a)(1), because Anderson previously had an MLO license revoked. Under Financial Code section 50513, subdivision (a)(2), the Commissioner seeks to deny Anderson’s MLO application.

WHEREFORE IT IS PRAYED that the MLO license application filed by Ben Alexander-Owens Anderson be denied.

Dated: December 3, 2021
San Diego, California

CHRISTOPHER S. SHULTZ
Acting Commissioner
Department of Financial Protection and Innovation

By: _____
ALEXANDER M. CALERO
Senior Counsel
Enforcement Division