

Terri Hogan
Legal Counsel
301 South Park, Room 316
P.O. Box 200546
Helena, MT 59620-0546
Telephone: (406) 841-2920
Facsimile: (406) 841-2930

COUNSEL FOR STATE OF MONTANA

BEFORE THE MONTANA DEPARTMENT OF ADMINISTRATION,
DIVISION OF BANKING AND FINANCIAL INSTITUTIONS

IN THE MATTER OF THE MONTANA
MORTGAGE LOAN ORIGINATOR LICENSE OF
DIAMOND CHANEL MASON, NMLS # 1362352,

Respondent.

Case No. M2021-69

**NOTICE OF PROPOSED
SUSPENSION OF LICENSE
AND OPPORTUNITY FOR
ADMINISTRATIVE HEARING**

The Montana Division of Banking and Financial Institutions (Division), pursuant to the authority granted by the Montana Mortgage Act (Act), Mont. Code Ann. § 32-9-101 et seq., hereby issues this Notice of Proposed Suspension of License and Opportunity for Administrative Hearing (Notice).

PARTIES, JURISDICTION, AND VENUE

1. The Division is the agency charged with licensing, examining, and regulating mortgage brokers, mortgage lenders, mortgage servicers, and mortgage loan originators.
2. DIAMOND CHANEL MASON (Respondent) is licensed as a mortgage loan originator (MLO) in Montana. Respondent's Nationwide Multistate Licensing System (NMLS) number is 1362352.
3. Pursuant to Mont. Code Ann. §§ 32-9-102, 32-9-126, and 32-9-133, this administrative tribunal has personal jurisdiction over the Respondent because the Respondent is

licensed as an MLO in this state.

4. Pursuant to Mont. Code Ann. §§ 32-9-102, 32-9-126 and 32-9-133, the Division has jurisdiction over the subject matter of this action and is authorized to bring this action against Respondent for a violation of the Act.

5. Venue is appropriate at the location set by the Division pursuant to Mont. Code Ann. § 2-4-611. Hearings are typically held in Helena, Lewis and Clark County, Montana, where the Division's main office is located.

FACT ASSERTIONS

1. On July 7, 2021, Respondent filed an application for a Montana MLO license with the Division.

2. In that application, Respondent authorized a background check and credit report through the NMLS.

3. On July 20, 2021, the Division performed a search for liens, judgments, and bankruptcies using CLEAR, a service available to government agencies through Thomson Reuters.

4. Reflected in the background checks were a charged-off account and a judgment.

5. On July 29, 2021, Respondent entered into an Agreement of Conditional Mortgage Loan Originator License and Consent to Entry of Agreement (Agreement) with the Division.

6. The Agreement states, in part, as follows:

a. Respondent will authorize a credit report through the NMLS every six months beginning from the date the agreement is executed.

b. Respondent shall have no additional delinquent debts, judgments, tax liens, foreclosures, charged-off accounts, or collection accounts reported.

c. Respondent will notify the Division of any delinquent debts, judgments, tax liens, foreclosures, charged-off accounts, or collection accounts that were not reflected on the credit report authorized at the time of the application before the execution of this agreement.

d. Respondent agrees to provide proof of payments to the Division every six months in accordance with the repayment agreement dated March 6, 2021, on the below [REDACTED].

Creditor	Account Type	Total Balance	Amount
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

e. Respondent agrees to provide a repayment agreement and proof of payments to the Division every six months on the below [REDACTED]. If paid, Respondent agrees to provide proof of payments on [REDACTED].

Creditor	Date	Amount
[REDACTED]	[REDACTED]	[REDACTED]

7. The Division approved Respondent for a conditional MLO license on July 29, 2021.

8. The Division made attempts to contact Respondent to collect the information required by the Agreement. The Division attempted to contact Respondent via email and by placing a license item on their NMLS record on February 7, 2022 and March 4, 2022.

9. On March 4, 2022, Vanessa Lepak, Senior Compliance Specialist with Nationstar Mortgage LLC, sent an email stating Respondent is no longer employed with their company.

10. On March 4, 2022, the Division mailed a letter to Respondent's address listed in the NMLS and requested a response by March 18, 2022.

11. The Division did not receive a response.

12. On March 23, 2022, the Division attempted to contact Respondent through an alternative email address, [REDACTED], located in the NMLS, and requested the contact information in the NMLS be updated or approval to communicate with her through the alternative email address.

13. The Division did not receive a response.

14. Respondent did not respond to the Division nor submit the requirements of the Agreement.

CONCLUSIONS OF LAW

1. The Division has jurisdiction over this matter and over the Respondent pursuant to Mont. Code Ann. §§ 32-9-102, 32-9-126, and 32-9-133.

2. Respondent is licensed as an MLO under Mont. Code Ann. §§ 32-9-120, 32-9-126, and 32-9-165.

3. On July 29, 2021, the Agreement was executed between the Respondent and the Division and Respondent was approved for a conditional license.

4. The Division made attempts to contact Respondent to collect the information required by the Agreement. The Division contacted Respondent via email and by placing a license item on their NMLS record on February 7, 2022 and March 4, 2022, by mailing a letter to Respondent's address listed in the NMLS on March 4, 2022, and by sending an email using an alternative email address on March 23, 2022.

5. Respondent did not respond to the Division nor submit the requirements of the Agreement.

6. Pursuant to Admin. R. Mont. 2.59.1742(4)(a), a license may be suspended when the licensee has not responded to the Division's request for information.

7. Respondent has not complied with the requirements of the Agreement.

PROPOSED AGENCY ACTION

The Division proposes to suspend the Respondent's MLO license in Montana.

NOTICE OF OPPORTUNITY FOR HEARING

Notice is hereby given that pursuant to Mont. Code Ann. § 32-9-133, the Respondent has a right to an administrative hearing as provided in the Montana Administrative Procedures Act (Title 2, Chapter 4, Part 6 of the Montana Code Annotated) to contest the Division's proposed agency action. Respondent has the right to be represented by counsel at the hearing and related proceedings. To exercise the right to a hearing Respondent must make a timely written request for hearing within **14 days** of receipt of this Notice and mail or deliver the request to:

Banking and Financial Institutions Division
301 South Park, Suite 316
P.O. Box 200546
Helena, MT 59620-0546

POSSIBILITY OF DEFAULT

Failure to make a written request for hearing within 14 days of receipt of this Notice or to otherwise timely defend as provided by law may result in entry of Respondent's default without further prior notice and a final order shall thereafter issue providing for such relief and imposing such penalties as are appropriate and authorized by Mont. Code Ann. §§ 32-9-126 and 32-9-133.

The Division will post a copy of any final order or decision in this matter to the NMLS under regulatory actions which will be viewable by regulators and the public.

DATED 28th day of April, 2022.

By: /S/ Terri Hogan
Terri Hogan, Legal Counsel

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2022, the undersigned caused a true and accurate copy of the foregoing Notice of Proposed Suspension of License and Opportunity for Administrative Hearing to be mailed by U.S. certified mail number [REDACTED] to:

DIAMOND CHANEL MASON
[REDACTED]
[REDACTED]

[REDACTED]
Heather K. Hardman, Paralegal