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**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE
OF THE STATE OF IDAHO**

In re Mortgage Loan Originator License
Application of:

LANCE RUSSELL MENDENHALL,
NMLS ID No.1646876,

Applicant.

Docket No. 2024-16-12

**ORDER DENYING MORTGAGE
LOAN ORIGINATOR LICENSE
APPLICATION AND NOTICE OF
THE OPPORTUNITY TO APPEAL**

The Director of the State of Idaho, Department of Finance (“Department”), pursuant to Idaho Code §§ 26-31-306(1)(d); 26-31-306(1)(h); 26-31-313(1)(a) and/or 26-31-313(1)(b) of the Idaho Residential Mortgage Practices Act (“Act”), hereby issues this Order.

FINDINGS OF FACT

1. The Applicant, Lance Russell Mendenhall, a resident of the state of Utah, applied for an Idaho Mortgage Loan Originator (“MLO”) license through the online Nationwide Mortgage Licensing System and Registry (“NMLSR”) under NMLS No. 1646876. This Applicant attested to the information provided and submitted the application on June 6, 2024.

2. The application Form MU4 seeks information on an applicant’s qualifications to be

licensed as an MLO, and the “Disclosure Questions” section specifically requests information pertaining to an applicant’s financial, criminal, civil, judicial, and regulatory history.

3. In response to disclosure question (A)(1), “Have you filed a personal bankruptcy petition or been the subject of an involuntary bankruptcy petition within the past 10 years?” the Applicant responded, “No.”

4. As part of its regular application review under Idaho Code § 26-31-316, the Department obtained a public records background check through LexisNexis on June 10, 2024 to determine the Applicant’s fitness to be licensed.

5. The report showed a Chapter 7 Bankruptcy filed with the United States Bankruptcy Court in the District of Utah on December 19, 2019 (Case No. 19-29268).

6. On June 10, 2024, the Department informed the Applicant that it had obtained the Bankruptcy filing information that required disclosure on Question (A)(1) of the Form MU4. The Department provided notice of intent to deny the application in four (4) weeks based on an inaccurate application. The Applicant was also provided the opportunity to withdraw the application. The Applicant did not respond.

FINDINGS AND CONCLUSIONS OF LAW

7. The allegations set forth in paragraphs 1 through 6 above are fully incorporated herein by this reference.

8. An individual must be licensed to engage in the business of an MLO. Idaho Code § 26-31-304. An applicant must apply for the license through the NMLSR in a form required by the Director of the Idaho Department of Finance (“Director”). Idaho Code § 26-31-304.

9. To obtain a license, the applicant must provide and make complete disclosure of the information requested on the application. Idaho Code § 26-31-305(10); Idaho Code § 26-31-

306(1)(h).

10. The Director may deny a license if an applicant withholds information or makes a material misstatement in an application for a license, or otherwise violates the Act. Idaho Code §§ 26-31-313(1)(a) and 26-31-313(1)(b). The Applicant made a material misstatement of fact in his application by failing to disclose his bankruptcy filing in the answer to question “A(1)”.

11. The Director shall not issue an MLO license unless the Director first finds that the applicant has provided all information required on the application and has “demonstrated financial responsibility, character, and general fitness sufficient to command the confidence of the community and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently” Idaho Code § 26-31-306(1)(d) and 26-31-306(h).

12. Due to the Applicant’s failure to disclose his bankruptcy filing on the Form MU4, the Director cannot make the requisite findings under Idaho Code §§ 26-31-306(1)(d) and 26-31-306(h) and finds it is appropriate to deny the Applicant’s request for the MLO license, pursuant to Idaho Code § 26-31-313(1).

ORDER

NOW, THEREFORE, BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND PURSUANT TO IDAHO CODE §§ 26-31-313(1)(a) and (b), IT IS HEREBY ORDERED THAT THE APPLICATION FOR A MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION ATTESTED TO AND SUBMITTED BY LANCE RUSSELL MENDENHALL, NMLS #1646876, ON JUNE 6, 2024, IS DENIED.

NOTICE OF THE OPPORTUNITY TO APPEAL

13. The Applicant is HEREBY NOTIFIED that he may appeal from this ORDER. Such appeal must be in writing and submitted to the Department within fifteen (15) days after the service of this Order. A copy of the request for hearing shall be served via **mail** or via **email** as follows:

Attn: Lisa Baker
Assistant to the Director
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

Lisa.Baker@finance.idaho.gov

A copy of the request for an appeal may also be served on the Department's counsel, Amber K. Kauffman, Deputy Attorney General, at amber.kauffman@ag.idaho.gov.

14. If the Applicant timely appeals this action, the Department will assign the contested case proceeding to the Office of Administrative Hearings pursuant to Idaho Code § 67-5280(2)(a). Subsequent proceedings in this matter will be conducted in accordance with the Idaho Administrative Procedure Act, Idaho Code § 67-5201 *et seq.* and the Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01).

15. Pursuant to Idaho Code § 26-31-305(6), if an appeal is made, the Applicant shall reimburse, pro rata, the Director for her reasonable and necessary expenses incurred as a result of the appeal.

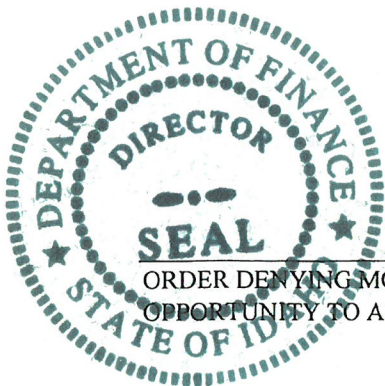
IT IS SO ORDERED.

DATED this 25 day of July 2024.

STATE OF IDAHO
DEPARTMENT OF FINANCE



PATRICIA R. PERKINS, Director

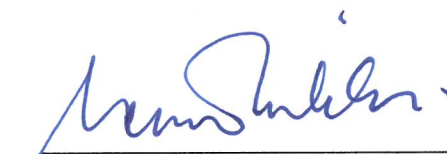


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July 2024, I caused a true and correct fully executed copy of the foregoing ORDER DENYING MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION AND NOTICE OF THE OPPORTUNITY TO APPEAL to be served on the following by the designated means:

Lance Russell Mendenhall
610 S. Locust Ave.
Pleasant Grove, UT 84062

- U.S. Mail, Postage Paid
- Certified mail
- Facsimile
- Email: rlancemend@gmail.com;
lance@tfh.me



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Paralegal