

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



DEPARTMENT OF BUSINESS REGULATION
DIVISION OF BANKING
1511 PONTIAC AVENUE, BUILDINGS 68, 69
CRANSTON, RI 02920

IN THE MATTER OF :
 :
 : DBR No. 17BK005
SUN WEST MORTGAGE COMPANY, INC. :
 :

CONSENT AGREEMENT

It is hereby agreed by and between the Rhode Island Department of Business Regulation (“Department”), Banking Division, and Sun West Mortgage Company, Inc., Nationwide Multistate Licensing System Number 3277 (“Respondent”) as follows:


1. Effective July 1, 2015, “[n]o person shall engage within this state in the business of...[s]ervicing a loan, directly or indirectly, as a third-party loan servicer...without first obtaining a license or registration from the [Department] director or the director’s designee.” R.I. Gen. Laws § 19-14-2(a)(8).
2. On November 20, 2015, the Banking Division received the Respondent’s application for a license to engage within this state in the business of third party mortgage loan servicing (“Rhode Island Third Party Loan Servicer License” or “License”).
3. In the course of the Banking Division’s evaluation of the Respondent’s application, the Respondent submitted information to the Banking Division indicating the Respondent performed third party mortgage servicing before applying for and obtaining the requisite

Rhode Island Third Party Loan Servicer License.

4. R.I. Gen. Laws § 19-14-23 entitled “Examinations and investigations” provides under subsection (e) that “[i]f the director, or his or her designee, has reason to believe that any person required to be licensed under this chapter is conducting a business without having first obtained a license under this chapter...the director, or his or her designee, may issue an order to that person commanding him or her to cease and desist from conducting that business.” R.I. Gen. Laws § 19-14-23(f) further provides that “[t]he director may impose an administrative assessment...against any person named in an order issued under subsection (e)” in an amount up to \$1,000 “for each violation of [Chapter 19-14] or each act or omission that constitutes a basis for issuing the order.”
5. R.I. Gen. Laws § 19-14-7 authorizes the Department to investigate applicants and gives the Department discretion to approve or deny applications including on the basis of whether the “financial responsibility, experience, character, and general fitness of the applicant” demonstrate that “the business will be operated honestly, fairly, and efficiently within the purposes of [Title 19].”
6. Considering the Respondent’s licensing history and cooperation with the Department and lack of Rhode Island consumer complaints regarding its third party mortgage loan servicing activity in Rhode Island, the Division has elected to resolve this matter by agreement as authorized by R.I. Gen. Laws § 42-35-9(d). Specifically, the Division will grant the License subject to the Respondent’s execution of this Consent Agreement, payment of an administrative assessment of \$1,000.00 and fulfillment of any outstanding application requirements.
7. By signing this Consent Agreement, the Respondent acknowledges that it must maintain

INSERT NAME
Counsel for Licensee

The Division:

A handwritten signature in cursive script, appearing to read "Elizabeth Kelleher Dwyer".

Signature

Date: 6-5-17

Elizabeth Kelleher Dwyer
Superintendent of Banking and Insurance