

BEFORE THE ARKANSAS SECURITIES COMMISSIONER  
CASE NO C-09-078  
ORDER NO C-09-078-10-CO01

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ARKANSAS SECURITIES DEPT.

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IN THE MATTER OF:  
ENVISION LENDING GROUP, INC.

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RESPONDENT

**CONSENT ORDER**

This Consent Order is entered pursuant to the Arkansas Fair Mortgage Lending Act ("FMLA"), Ark. Code Ann. §§ 23-39-501 through 23-39-518, the Rules of the Arkansas Fair Mortgage Lending Act and the Arkansas Administrative Procedures Act, codified at Ark. Code Ann. §§ 25-15-101 through 25-15-219, in accordance with an agreement by and between the Staff of the Arkansas Securities Department ("Staff") and the Respondent, Envision Lending Group, Inc. ("Envision"), in full and final settlement of all claims that could be brought against Envision by the Staff on the basis of the facts set forth herein.

Envision admits the jurisdiction of the FMLA and the Arkansas Securities Commissioner ("Commissioner"), waives its right to a formal hearing and, without admitting or denying the findings of facts made herein, consents to the entry of this order and agrees to abide by its terms.

**FINDINGS OF FACT**

1. Envision Lending Group, Inc. ("Envision") is a mortgage broker company located in South Jordan, Utah, NMLS&R number 3219. Envision's license as a mortgage broker with the Arkansas Securities Department ("Department") expired on December 31, 2008.

2. Brett Fuller (Fuller) was employed and compensated as a loan officer with Envision during 2007. Fuller was not licensed as a loan officer with Envision by the Department under the Arkansas FMLA during 2007. The Staff has determined that in October 2007, during the time when Fuller was employed as a loan officer for Envision, Fuller was involved in soliciting and accepting a mortgage loan application from one Arkansas resident, without being properly licensed by the Commissioner.

3. Gavin W. Walker (Walker) was employed and compensated as a loan officer with Envision during 2007. Walker was not licensed as a loan officer with Envision by the Department under the Arkansas FMLA during 2007. The Staff has determined that in July 2007, during the time when Walker was employed as a loan officer for Envision, Walker was involved in soliciting and accepting a mortgage loan application from one Arkansas resident without being properly licensed by the Commissioner.

4. Christopher W. Davis (Davis) was employed and compensated as a loan officer with Envision from on or about February 27, 2008, until on or about December 31, 2008. Davis was not licensed as a loan officer with Envision by the Department under the Arkansas FMLA until June 20, 2008. The Staff has determined that between March 31, 2008, and June 3, 2008, during the time when Davis was employed as a loan officer for Envision, Davis was involved in soliciting and accepting mortgage loan applications from five Arkansas residents without being properly licensed by the Commissioner.

5. Elliott Dutro (Dutro) was employed and compensated as a loan officer with Envision from on or about August 2, 2007, until on or about September 17, 2008. Dutro was not licensed as a loan officer with Envision by the Department under the Arkansas FMLA until February 27, 2008. The Staff has determined that between January 15, 2008, and February 5, 2008, during the

time when Dutro was employed as a loan officer for Envision, Dutro was involved in soliciting and accepting mortgage loan applications from eight Arkansas residents without being properly licensed by the Commissioner

### **LEGAL AUTHORITY AND CONCLUSIONS OF LAW**

6. Pursuant to Ark. Code Ann. § 23-39-503(c) it is unlawful for any person other than an exempt person to employ, to compensate, or to appoint as its agent any person to act as a loan officer unless the loan officer is licensed as a loan officer under this subchapter. The acts of Envision, Fuller, Walker, Davis, and Dutro, as detailed in ¶¶2-5 constitute 15 violations of Ark. Code Ann. § 23-39-503(c) by Envision.

7. Pursuant to Ark. Code Ann. § 23-39-514(a)(1) the entry of this order is in the public interest.

8. Pursuant to Ark. Code Ann. § 23-39-514(k) the FMLA permits the informal disposition of an allegation by a consent order. The acts and violations of the FMLA by Envision as detailed in ¶¶2-5 warrant the entry of a consent order.

9. The Commissioner by order may impose a civil penalty that shall not exceed \$10,000.00 for each violation by a mortgage broker, mortgage banker, or loan officer upon a licensee or any partner, officer, director, member, manager, or other person occupying a similar status or performing a similar function on behalf of a licensee for any violation of the FMLA. Ark. Code Ann. § 23-39-514(b)(1) and (2). The acts and violations of the FMLA by Envision as detailed in ¶¶2-5 warrant the entry of appropriate civil penalties against Envision as authorized by Ann. § 23-39-514(b)(1) and (2).

**UNDERTAKING**

In settlement of this matter, but without admitting or denying the findings of fact made above, Envision agrees to pay a civil penalty in the amount of \$1,500.00 to the Department.

**ORDER**

By agreement and with the consent of the Staff, the authorized representative of Envision, it is hereby ordered that Envision shall be responsible for the payment of a civil penalty in the amount of \$1,500.00 to the Department. The payment of said civil penalties shall be made by Envision to the Department within thirty (30) calendar days of the entry of this order.

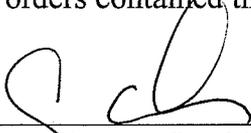
IT IS SO ORDERED.



A. Heath Abshire  
Arkansas Securities Commissioner

February 2, 2010  
Date

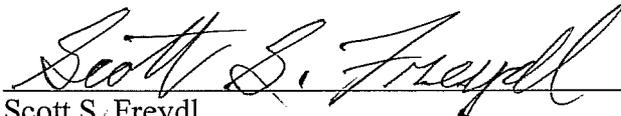
I hereby agree to the entry of this Consent Order, and consent to all terms, conditions, and orders contained therein, and waive any right to an appeal from this order.



Amy Anderson, President  
Envision Lending Group, Inc.

1/26/2010

Date



Scott S. Freydl  
Staff Attorney, Arkansas Securities Department

2/2/2010

Date