## STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION OF BANKING AND SECURITIES

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In the matter of:	ORDER NO: 16-130-C
American Advisors Group, Inc. NMLS #9392	ORDER IMPOSING CIVIL PENALTIES AND CONSENT TO ORDER  )
Respondent.	) ) )

The Department of Commerce, Community, and Economic Development, Division of Banking and Securities ("Department") has conducted an examination of the business operations of American Advisors Group, Inc. ("Respondent") and has determined that Respondent violated certain provisions of AS 06.60 *et seq.* ("the Alaska Secure and Fair Enforcement for Mortgage Licensing Act of 2010 – the Alaska SAFE Act").

Respondent agrees that the Department has jurisdiction over it and this matter pursuant to the Alaska SAFE Act.

Respondent wishes to resolve and settle this matter with the Department. As evidenced by the authorized signature on this Order, Respondent consents to the entry of this Order imposing civil penalties based on the Conclusions of Law and Order. Respondent waives its right to a hearing under AS 44.62 *et seq*. (the Alaska Administrative Procedure Act) and the Alaska SAFE Act.

## I. FINDINGS OF FACT

1. Respondent is a corporation organized under the laws of the State of California, and has a physical address of 3800 W. Chapman Ave., 3<sup>rd</sup> Floor, Orange, CA 92868.

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- 3. On November 19, 20, and 21, 2013, the Department participated in a Multi-State Mortgage Committee examination of Respondent, during which the Department conducted an advertising review and a loan file review.
- 4. Mortgage licensees must clearly and conspicuously display their complete name on all advertisements. Beginning in 2011, Respondent issued several print advertisements using the name "AAG" rather than its complete name "American Advisors Group, Inc."
- 5. Mortgage licensees must clearly and conspicuously display the unique identifier assigned to them by the Nationwide Mortgage Licensing System ("NMLS") and Registry ("Registry"). Respondent's unique identifier is 9392. Beginning in 2011, Respondent issued several print advertisements without displaying its unique identifier.
- 6. Mortgage licensees conducting business under more than one trade name must register their other trade names (OTN) with the Department. Beginning in 2011, Respondent used the OTN "AAG" in advertisements without registering that OTN with the Department through NMLS.

## II. CONCLUSIONS OF LAW

- 1. Respondent violated AS 06.60.320 and 3 AAC 14.510(2) by advertising without clearly and conspicuously disclosing its complete name, "American Advisors Group, Inc.," on its advertisements.
- 2. Respondent violated AS 06.60.325 and 3 AAC 14.510(2) by advertising without clearly and conspicuously displaying the unique identifier assigned to it by the Registry on its advertisements.
  - 3. Respondent violated 3 AAC 14.059 by using the OTN "AAG" in advertisements

without registering that OTN with the Department through NMLS.

4. Respondent is subject to a civil penalty under AS 06.60.420 for violating AS 06.60.320, AS 06.60.325, 3 AAC 14.510(2) and 3 AAC 14.059.

## III. ORDER

Pursuant to the Alaska SAFE Act and on the basis of the Findings of Fact, Conclusions of Law and AAG's consent to the entry of this Order, the Department ORDERS Respondent to:

- 1. Pay a civil penalty in the amount of \$1,000. This amount was calculated at \$250 for Respondent's failure to display the unique identifier assigned to it by the Registry, \$250 for Respondent's failure to clearly and conspicuously disclose its complete name, "American Advisors Group, Inc." on its advertisements, and \$500 for Respondent's using an OTN on advertisements without registering that OTN with the Department through the NMLS.
- 2. Comply with all provisions of the Alaska SAFE Act, including associated regulations.

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1	3. This Order is a publicly disclosable document and is reportable to the NMLS.
2	IT IS SO ORDERED.
3	Chris Hladick, Commissioner Department of Commerce, Community and Economic Development
5	and Economic Development
6	July 27, 2016 /s/ Kevin Anselm
7	Date  Kevin Anselm, Director  Division of Banking and Securities
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10	Consent to Entry of Order
11	I, Sherry L. Pauline, state that I am the Chief Risk Officer of
12	American Advisors Group, Inc. ("Respondent"); that I am authorized to act on its behalf; that
13	I have read the foregoing Order; and that I am aware of the right to a hearing and appeal in
14	this matter, and have waived the same.
15	Respondent admits to the jurisdiction of the Department of Commerce, Community
16	and Economic Development, Division of Banking and Securities ("Department") and further
17	consents to entry of this Order by the Department as settlement of the issues contained in this
18	Order. Respondent admits violation of the Alaska SAFE Act.
19	Respondent understands that the Department reserves the right to take further actions
20	to enforce this Order or to take appropriate action upon discovery of other violations of the
21	Alaska SAFE Act, and that Respondent will fully comply with the terms and conditions of
22	this Order, the Alaska SAFE Act and associated regulations.
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1	Respondent enters into this Order voluntarily and understands that this Order is a public
2	document and is reportable to the NMLS.
3	7/22/16 /s/ Sherry L. Pauline Date American Advisors Group, Inc.
4	By: Sherry L. Pauline
5	Title: Chief Risk Officer
6 7	SUBSCRIBED AND SWORN TO before me this 22 day of July , 2016 at Orange , California .
8	CA signed notarial certificate attached
9	Notary Public in and for California
10	Kenneth Lloyd Rodriguez
11	Notary Printed Name My commission expires: 8/21/2018
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Contact Person: Leif Haugen Securities Examiner (907) 269-8144