

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

In the matter of: )  
 )  
 )  
First Rate Financial, LLC ) ORDER NO: 18-111-C  
 ) ORDER IMPOSING CIVIL PENALTIES  
NMLS #AK184451 ) 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 activities of First Rate Financial, LLC (“Respondent”) and has determined that the 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 Respondent 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 hearing under AS 44.62 *et seq.* (the Alaska Administrative Procedure Act) and the Alaska SAFE Act.

**I. FACTS**

1. Respondent is an Alaska limited liability company, entity number 95447, with its principal place of business located at 3030 Denali Street #9, Anchorage, Alaska 99503. On

1 February 27, 2009, the Department issued an Alaska Mortgage Broker/Lender license  
2 to Respondent. Respondent's unique identifier is AK184451.

3 2. A mortgage licensee is liable for the conduct of a person acting as a Mortgage Loan  
4 Originator (MLO) if the mortgage licensee knows or should have known that the MLO's  
5 conduct violates the Alaska SAFE Act and the MLO is employed by the mortgage licensee to  
6 act as an MLO.

7 3. On March 10, 2014, The Department conducted an examination of Respondent's mortgage  
8 origination activities, which included an advertising and loan file review. The Department  
9 found that Respondent maintained 11 on-line advertisements that did not display the  
10 Respondent's unique identifier. The Department also found that several MLOs employed and  
11 sponsored by Respondent maintained a total of 13 on-line advertisements that did not display  
12 the MLOs' unique identifiers. Respondent informed the Department that, in response to  
13 Department's recommendations after the examination, Respondent instituted a policy  
14 requiring Respondent to approve all advertisements issued by Respondent's MLOs.

15 4. On January 2, 2018, the Department conducted an examination of Respondent and  
16 its sponsored MLOs. The Department found that Respondent maintained seven on-line  
17 advertisements that did not display Respondent's unique identifier. The Department also found  
18 that several MLOs employed by Respondent maintained a total of nine on-line advertisements  
19 that did not display the MLOs' unique identifiers. Jason Wooten, Adam Heafner and Justin  
20 Harris were sponsored MLOs whose advertisements lacked unique identifiers in both the 2014  
21 and 2018 examinations.

## 22 II. CONCLUSIONS OF LAW

23 1. Respondent violated AS 06.60.325 and 3 AAC 14.510(2) by failing to clearly and  
24 conspicuously display its unique identifier in its advertisements.



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This Order shall be publicly disclosed and is reportable to the NMLS.

**IT IS SO ORDERED.**

Mike Navarre, Commissioner  
Department of Commerce, Community  
and Economic Development

October 3, 2018  
Date

/s/ Patrice Walsh  
Patrice Walsh, Acting Director  
Division of Banking and Securities

1 **Consent to Entry of Order**

2 **First Rate Financial, LLC**

3 I, Jason Wooten, state that I am the President of  
4 First Rate Financial, LLC (“Respondent”); that I am authorized to act on its behalf; that I  
5 have read the foregoing Order; and that I am aware of the right to a hearing and appeal in this  
6 matter, and have waived the same.

7 Respondent admits to the jurisdiction of the Department of Commerce, Community  
8 and Economic Development, Division of Banking and Securities (“Department”) and further  
9 consents to entry of this Order by the Department as settlement of the issues contained in this  
10 Order. Respondent admits violation of the Alaska SAFE Act.

11 Respondent understands that the Department reserves the right to take further actions  
12 to enforce this Order or to take appropriate action upon discovery of other violations of the  
13 Alaska SAFE Act, and that Respondent will fully comply with the terms and conditions of  
14 this Order, the Alaska SAFE Act and associated regulations.

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Respondent enters into this Order voluntarily and understands that this Order is a public document and is reportable to the NMLS.

9/20/2018  
Date

/s/ Jason Wooten  
First Rate Financial, LLC

By: Jason Wooten  
Title: President

SUBSCRIBED AND SWORN TO before me this 20 day of September, 2018 at Anchorage, Alaska.

/s/ Rose Baye  
Notary Public in and for Alaska

Rose Baye  
Notary Printed Name

My commission expires: 10/12/20

Contact Person:  
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Acting Chief of Examinations  
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