In the matter of: Amber Gauthier NMLS #AK988438 

ORDER NO: 19-75-C 
ORDER IMPOSING CIVIL PENALTIES AND CONSENT TO ORDER 

The Department of Commerce, Community, and Economic Development, Division of Banking and Securities ("Department") has conducted an examination of the business activities of Amber Gauthier ("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 the 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 her right to hearing under AS 44.62 et seq. (the Alaska Administrative Procedure Act) and the Alaska SAFE Act.

I. FACTS

1. Primary Residential Mortgage, Inc. ("PRMI") is an Alaska business corporation, entity number 73910F, with its principal place of business located at 1480 North 2200 West, Salt
Lake City, Utah 84116. On March 19, 2010, the Department issued an Alaska Mortgage Broker/Lender license to PRMI. The unique identifier assigned to PRMI by the Nationwide Multistate Licensing System & Registry ("NMLS") is AK3094. On December 31, 2012, the Department issued Mortgage Loan Originator ("MLO") number AK988438 to Respondent. The unique identifier assigned to Respondent by the NMLS is 988438.

2. In November 2018, the Department conducted an examination of PRMI and its MLOs. At the time of the examination, Respondent was an MLO who was sponsored by PRMI. During the examination, the Department found that Respondent maintained one advertisement that did not display PRMI’s and Respondent’s unique identifier.

3. An MLO must clearly and conspicuously display the unique identifier assigned to the MLO and the unique identifier assigned to the mortgage broker or mortgage lender on all advertisements.

II. CONCLUSIONS OF LAW

1. Respondent violated AS 06.60.325 and 3 AAC 14.510(2) by failing to clearly and conspicuously display PRMI’s and Respondent’s unique identifier in the one advertisement found during the Second Examination.

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

III. ORDER

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

1. Pay a civil penalty of $500. This amount was calculated at $500 for the one advertisement found during the Second Examination that did not clearly and conspicuously
display PRMI’s and Respondent’s unique identifiers. This amount is immediately due to the Department.

2. Comply with all provisions of the Alaska SAFE Act and associated regulations. This Order is a publicly disclosable document and is reportable to the NMLS.

IT IS SO ORDERED.

Julie Anderson, Commissioner
Department of Commerce, Community and Economic Development

___________________   ____________________________
Date Patrice Walsh, Director
Division of Banking and Securities

September 19, 2019 /s/ Patrice Walsh

Patrice Walsh, Director
Division of Banking and Securities
Consent to Entry of Order

Amber Gauthier

I, Amber Gauthier, hereby acknowledge that I have read the foregoing Consent Order, I am aware of the right to a hearing and appeal in this matter, and have waived the same.

I admit to the jurisdiction of the Department of Commerce, Community and Economic Development, Division of Banking and Securities (“Department”) and further consent to entry of this Order by the Department as settlement of the issues contained in this Order. I admit to violation of the Alaska SAFE Act.

I understand that the Department reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of the Alaska SAFE Act, and that I will fully comply with the terms and conditions of this Order, the Alaska SAFE Act and associated regulations.
I enter into this Order voluntarily and understand that this Order is a public document and is reportable to the NMLS.

9/18/19          /s/ Amber Gauthier
Date

Amber Gauthier

SUBSCRIBED AND SWORN TO before me this 18th day of September, 2019 at
Anchorage, Alaska.

/s/ Kelli K. White
Notary Public in and for ____________
Kelli K. White
Notary Printed Name
My commission expires: Jan 22, 2013

Contact Person:
Tammy Walker
Financial Examiner I
(907) 269-4157