

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

In the matter of:)
Lisa Makoni) ORDER NO: 21-85-C
NMLS #AK203684) ORDER IMPOSING CIVIL PENALTIES
AND
Respondent.) 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 Lisa Makoni (“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 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 a hearing under AS 44.62 et seq. (the Alaska Administrative Procedure Act) and the Alaska SAFE Act.

I. FINDINGS OF FACT

1. Alaska USA Mortgage Company, LLC (“AUMC”) is an Alaska limited liability company, entity number 76588D, with its principal place of business located at 4000 Credit

1 Union Drive, Anchorage, AK 99503. On April 3, 2009, the Department issued an Alaska
2 Mortgage Broker/Lender license to AUMC. The unique identifier assigned to AUMC by the
3 Nationwide Multistate Licensing System (“NMLS”) is AK157293. On January 4, 2010, the
4 Department issued Mortgage Loan Originator (“MLO”) number AK203684 to Respondent.
5 The unique identifier assigned to Respondent by the NMLS is 203684.

6 2. In June 2012, the Department conducted an examination (“First Examination”) of
7 AUMC and its MLOs. At the time of the First Examination, Respondent was an MLO who
8 was employed and sponsored by AUMC. The Department conducted an advertising review and
9 found that Respondent maintained three on-line advertisements that did not display
10 Respondent’s or AUMC’s unique identifier.

11 3. On August 9, 2012, the Department issued a Report of Examination (“Report”) to
12 AUMC detailing the Department’s findings from the First Examination. On September 11,
13 2012, AUMC responded to the Report and informed the Department that AUMC would “share
14 the Department’s findings from the First Examination with the MLO’s for training purposes.”

15 4. In October 2019, the Department conducted an examination (“Second Examination”) of
16 AUMC and its MLOs. During the examination, the Department found that Respondent
17 maintained three advertisements that did not display AUMC’s unique identifier and one
18 advertisement that did not display either AUMC’s unique identifier or Respondent’s unique
19 identifier.

20 5. An MLO must clearly and conspicuously display the unique identifier of the MLO, as
21 well as the unique identifier of the company sponsoring the MLO, on all advertisements.

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 Respondent’s or AUMC’s unique identifier in Respondent’s

1 advertisements.

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

4 **III. ORDER**

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

8 1. Pay a civil penalty in the amount of \$2,000. This amount was calculated at \$500 for
9 each of the three advertisements that did not display AUMC's unique identifier and \$500 for
10 the advertisement that did not display either AUMC's unique identifier or Respondent's
11 unique identifier, all found during the Second Examination. This amount is immediately due
12 to the Department.

13 2. Comply with all provisions of the Alaska SAFE Act and associated regulations.

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

15 **IT IS SO ORDERED.**

16 Julie Anderson, Commissioner
17 Department of Commerce, Community
18 and Economic Development

19 12/20/21

20 Date

/s/ Robert H. Schmidt

Robert H. Schmidt, Director
Division of Banking and Securities

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1 **Consent to Entry of Order**

2 **Lisa Makoni**

3 I, Lisa Makoni, hereby acknowledge that I have read the foregoing Consent Order, I
4 am aware of the right to a hearing and appeal in this matter, and have waived the same. I
5 admit to the jurisdiction of the Department of Commerce, Community and Economic
6 Development, Division of Banking and Securities (“Department”) and further consent to
7 entry of this Order by the Department as settlement of the issues contained in this Order. I
8 admit to violation of the Alaska SAFE Act.

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

13 I enter into this Order voluntarily and understand this Order is a public document and
14 is reportable to the NMLS.

15 12/14/2021

/s/ Lisa Makoni

16 Date

Lisa Makoni

17 SUBSCRIBED AND SWORN TO before me this 14th day of December, 2021 at
18 Anchorage, Alaska.

/s/ Tracy A. Reno

19 Notary Public in and for Alaska

20 Tracy A. Reno

21 Notary Printed Name

My commission expires: 1-14-2022

22 Contact Person:

23 Tracy Reno

Chief of Examinations

24 (907) 269-8112