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ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS

In the Matter of the Loan Processor Activities of: No. 19F-BD002-BNK
ALISON MESA **CONSENT ORDER**


Respondent.

On October 31, 2018, the Arizona Department of Financial Institutions (“Department”) issued a Notice of Hearing and Complaint to Suspend Alison Mesa From Participating in Any of the Affairs of a Financial Institution or Enterprise (the “Notice”), which alleged Alison Mesa (“Mesa”) had violated Arizona statutes and regulations governing mortgage banking activities as a loan processor for Academy Mortgage Corporation (“Academy Mortgage”). Wishing to resolve this matter in lieu of an administrative hearing, Mesa enters into the Consent Order with the Department.

FINDINGS OF FACT

1. In late January 2018, Academy Mortgage, an Arizona licensed mortgage banker, reported to the Department that it suspected that Mesa, in concert with other Academy Mortgage employees, was involved in illegal or improper business practices. The illegal or improper practices consisted of employees altering and/or forging documents and submitting those documents to Academy Mortgage. The purpose in submitting those inauthentic documents was to allow mortgage loan applicants who had applied for residential mortgage loans with Academy Mortgage to qualify for those mortgage loans.
2. Following the information received from Academy Mortgage, the Department began an investigation to confirm whether Mesa had been involved in illegal or improper business practices while employed with Academy Mortgage.
3. In cooperation with Academy Mortgage, the Department’s investigation disclosed that the illegal or improper business practices of altering and/or forging documents and submitting

1 those inauthentic documents to Academy Mortgage was isolated to the Academy Mortgage
2 employees at the Williams Circle Office located in Tucson, Arizona. At that office, Nabel Mohamed
3 Hamed (“Hamed”) held a supervisory position over loan originators as a Loan Officer/Sales
4 Manager.

5 4. Under A.R.S. § 6-943(F), Mesa was allowed to engage in mortgage banking activities
6 as a loan processor, under the licensure of Academy Mortgage. As a loan processor, she was
7 supervised by loan originators to assist them in preparing, gathering, collecting, and submitting
8 mortgage documentation and information on behalf of mortgage applicants so they could obtain
9 residential mortgage loans from Academy Mortgage.

10 5. Furthermore, Academy Mortgage’s job description for a loan processor requires the
11 loan processor “[to work] with loan officers, borrowers, and third party providers to obtain
12 documentation and submit a thorough, accurate, and complete loan package to Underwriting. . . .
13 Maintains control of the loan file, monitors dates for approval, appraisal, and closing, and ensures
14 that all deadlines are met in a timely and efficient manner.”

15 6. Under Academy Mortgage’s mortgage banker license, Mesa as an employee was
16 required to be a person of honesty, truthfulness and good character in conducting her affairs at
17 Academy Mortgage. *See* A.R.S. §§ 6-161(A)(1), (6) (under 6-161(A)(6), employees or agents who
18 violate statutes involving financial institutions or enterprises are held accountable for their actions).

19 7. The Department’s investigation found that Mesa, as the assigned loan processor, was
20 directed to submit to Academy Mortgage altered, forged and/or false documents for mortgage loan
21 applicants. However, she was unaware that the documents that she submitted to Academy Mortgage
22 were altered, forged and/or inauthentic mortgage documents and she took no part in the creation of
23 these documents. The Department’s investigation focused on these three mortgage loan applicants:

24 (a) Jack Hooker, (“**Hooker**”), loan file number XXX4760;

25 (b) Michael and Ann Marie Burgess, (“**Burgess**”) loan file number XXX8759; and

26 (c) Kimberley Jackson, (“**Jackson**”) loan file number XXX8859.

1 Superintendent or representative and shall remain effective and enforceable unless modified by the
2 parties in writing.

3 DATED this 13th day of March, 2019.

4 Robert D. Charlton, Superintendent
5 Arizona Department of Financial Institutions

6
7 By: Gabriela Marcias
8 Gabriela Marcias, Division Manager
9 Mortgage Lending
Arizona Department of Financial Institutions

10 **CONSENT TO ENTRY OF ORDER**

11 A. Mesa acknowledges that she has been served with a copy of the foregoing Findings of
12 Fact, Conclusions of Law, and Order in the above-referenced matter, has read the same, is aware of
13 the right to an administrative hearing in this matter, and has knowingly, intelligently, and voluntarily
14 waived that right.

15 B. Mesa admits to the jurisdiction of the Superintendent and consent to the entry of the
16 foregoing Findings of Fact, Conclusions of Law, and Order.

17 C. Mesa states that no promise of any kind or nature has been made to induce her to
18 consent to the entry of this Order, and that she has done so voluntarily.

19 D. Mesa agrees to cease from engaging in the conduct set forth above in the Findings of
20 Fact and Conclusions of Law.

21 E. Mesa acknowledges that the acceptance of this Consent to the Entry of Order by the
22 Superintendent is solely to settle this matter and does not preclude this Department, any other agency
23 or officer of this state or subdivision thereof from instituting other proceedings as may be
24 appropriate now or in the future.

25 F. Mesa acknowledges that failure to comply with this Order can result in the
26 Department pursuing other administrative and judicial remedies against her.

1 G. Mesa represents that she has the authorization to consent to the entry of this Order on
2 her own behalf.

3 H. Mesa waives all rights to seek any administrative or judicial review or otherwise to
4 challenge or contest the validity of this Order before any court of competent jurisdiction.

5 DATED this 8 day of March 2019.

6 By: Alison Mesa
7 Alison Mesa

8
9 **ORIGINAL** of the foregoing filed this _____
day of _____, 2019, in the office of:

10 Robert D. Charlton, Superintendent
11 Arizona Department of Financial Institutions
12 ATTN: Lola Duncan
13 100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007
LDuncan@azdfi.gov

14 **COPY** of the foregoing E-Filed same date to:
15 Thomas Shedden, Administrative Law Judge
16 Office of the Administrative Hearings
17 1740 West Adams Street, Lower Level
Phoenix, AZ 85007

18 **COPY** of the foregoing emailed same date to:

19 Gabriela Macias, Division Manager
20 Richard Fergus, Examiner-in-Charge
21 ATTN: Ana Starcevic
22 100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007
Gmacias@azdfi.gov
Astarcevic@azdfi.gov

23 Roberto Pulver, Assistant Attorney General
24 Office of the Attorney General
25 2005 North Central Avenue
Phoenix, Arizona 85004
Roberto.Pulver@azag.gov
Teresa.Carranza@azag.gov

26 **COPY** mailed same date by
First Class U.S. Mail, to:

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Alison Mesa



Respondent

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