
IN THE MATTER OF:

**CRISTOBAL LARA GARCIA
NMLS # 1049418**

(“Respondent”)

*
*
*
*
*
*
*
*
*

ORDER OF SUMMARY SUSPENSION

**NOTICE OF INTENT TO REVOKE
MORTGAGE LOAN ORIGINATOR
LICENSE**

AND

NOTICE OF RIGHT TO HEARING

I. LEGAL AUTHORITY AND JURISDICTION

1. The Banking Commissioner (“Commissioner”) is charged with the administration of Part I of Chapter 668, Sections 36a-485 to 36a-534b, inclusive, of the Connecticut General Statutes, “Mortgage Lenders, Correspondent Lenders, Brokers and Loan Originators”.

2. Pursuant to the authority granted by Section 36a-17 of the Connecticut General Statutes, as amended by Public Act 21-130, the Commissioner, through the Consumer Credit Division of the Department of Banking (“Department”), has investigated the activities of Respondent to determine if he has violated, is violating or is about to violate the provisions of the Connecticut General Statutes within the jurisdiction of the Commissioner (“Investigation”).

3. As a result of the Investigation, there are sufficient grounds for the Commissioner to summarily suspend and revoke Respondent’s mortgage loan originator license in Connecticut pursuant to Sections 36a-494(a)(2) and 36a-51(a) of the Connecticut General Statutes.

II. MATTERS ASSERTED

1. Respondent is an individual whose unique identifier on the Nationwide Multistate Licensing System and Registry (“NMLS”) is 1049418.

2. Respondent has been licensed as a mortgage loan originator in Connecticut since June 10, 2020.

3. The Department recently became aware that on November 5, 2009, the Financial Industry Regulatory Authority (“FINRA”) issued a decision against Respondent which found that Respondent: (a) falsified customer account documents to enroll 12 customers in an online bill payment program without their knowledge and consent, in violation of Conduct Rule 2110; and (b) failed to respond to requests for information from FINRA, in violation of Procedure Rule 8210 and Conduct Rule 2010. The FINRA decision barred Respondent from associating with any member firm in any capacity in the future and became final on December 3, 2009 (“FINRA Decision”).

4. Respondent failed to disclose the FINRA Decision on his application for mortgage loan originator licensure filed with the Department via NMLS on June 2, 2020 (“Application”). Rather, Respondent answered “No” to several questions on the Application under the Regulatory Action section which require disclosure of the FINRA Decision, including, but not limited to, “(K) Has any . . . self-regulatory organization (SRO) ever: . . . (2) found you to have been involved in a violation of a financial services-related business regulation(s) or statute(s)?” and “(K) Has any . . . self-regulatory organization (SRO) ever: . . . (4) entered an order against you in connection with a financial services-related activity?”

5. On May 24, 2021, Respondent’s mortgage loan originator licenses in the states of Idaho and Massachusetts were revoked.

6. By letter dated June 10, 2021, pursuant to Section 4-182(c) of the Connecticut General Statutes, the Department provided Respondent an opportunity to show compliance for the retention of his mortgage loan originator license in Connecticut. Respondent failed to respond.

III. STATUTORY BASIS FOR REVOCATION OF MORTGAGE LOAN ORIGINATOR LICENSE

1. The revocation of Respondent’s mortgage loan originator license in other states, as more fully described in paragraph 5 of the Matters Asserted, constitutes sufficient grounds to deny Respondent’s

application for a mortgage loan originator license pursuant to Section 36a-489(b)(1)(A) of the Connecticut General Statutes, which is sufficient grounds to revoke Respondent's mortgage loan originator license in Connecticut pursuant to Section 36a-494(a)(2) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

2. Respondent's answers of "No" on his Application, instead of disclosing the FINRA Decision, as more fully described in paragraphs 3 and 4 of the Matters Asserted, renders the Commissioner unable to find that Respondent did not make a material misstatement in his application. Such conduct would be sufficient grounds for the Commissioner to deny an application for a mortgage loan originator license pursuant to Section 36a-489(b)(1)(F) of the Connecticut General Statutes, and is sufficient grounds for the Commissioner to revoke Respondent's mortgage loan originator license in Connecticut pursuant to Section 36a-494(a)(2) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

3. Respondent's conduct, as more fully described in paragraphs 3 and 4 of the Matters Asserted, renders the Commissioner unable to find that Respondent demonstrates character and general fitness so as to command the confidence of the community and to warrant a determination that Respondent will operate honestly, fairly and efficiently within the purposes of Sections 36a-485 to 36a-498e, inclusive, 36a-498h, 36a-534a and 36a-534b of the Connecticut General Statutes. Such conduct would be sufficient grounds for the Commissioner to deny an application for a mortgage loan originator license pursuant to Section 36a-489(b)(1)(C) of the Connecticut General Statutes, and is sufficient grounds for the Commissioner to revoke Respondent's mortgage loan originator license in Connecticut pursuant to Section 36a-494(a)(2) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes.

IV. FINDING AND STATUTORY BASIS FOR ORDER OF SUMMARY SUSPENSION

The Commissioner finds that the public safety and welfare imperatively require emergency action to summarily suspend Respondent's mortgage loan originator license in Connecticut pursuant to Sections 36a-51(a) and 4-182(c) of the Connecticut General Statutes to prevent potential harm to Connecticut consumers as a result of Respondent's failure to demonstrate the requisite character and general fitness by

falsifying account documents while in the securities industry and failing to disclose the resultant FINRA Decision on his Application. In addition, the revocation of his license by several states statutorily prevents Respondent from maintaining a mortgage loan originator license in Connecticut.

IV. ORDER OF SUMMARY SUSPENSION, NOTICE OF INTENT TO REVOKE MORTGAGE LOAN ORIGINATOR LICENSE AND NOTICE OF RIGHT TO HEARING

WHEREAS, the Commissioner has reason to believe that Respondent has engaged in acts or conduct which constitutes sufficient grounds for the Commissioner to revoke Respondent's mortgage loan originator license in Connecticut pursuant to Section 36a-494(a)(2) and subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes;

AND WHEREAS, the Commissioner has made the findings required under Sections 36a-51(a) and 4-182(c) of the Connecticut General Statutes.

NOW THEREFORE, pursuant to the authority granted in Sections 36a-51(a) and 4-182(c) of the Connecticut General Statutes, the Commissioner **ORDERS** that the license of Cristobal Lara Garcia (NMLS # 1049418) to engage in the business of a mortgage loan originator in Connecticut be and is hereby **SUMMARILY SUSPENDED** pending proceedings to revoke his license.

FURTHER, notice is hereby given to Respondent that the Commissioner intends to issue an order to **REVOKE** Respondent's mortgage loan originator license subject to Respondent's right to a hearing on the allegations set forth above.

A hearing will be granted to Respondent if a written request for a hearing is received by the Department of Banking, Consumer Credit Division, 260 Constitution Plaza, Hartford, Connecticut 06103-1800 or submitted by e-mail to DOB.hearingsupport@ct.gov within fourteen (14) days following Respondent's receipt of this Order of Summary Suspension, Notice of Intent to Revoke Mortgage Loan Originator License and Notice of Right to hearing as set forth in subsections (a) and (b) of Section 36a-51 of the Connecticut General Statutes. This Order of Summary Suspension, Notice of Intent to Revoke Mortgage Loan Originator License and Notice of Right to Hearing shall be deemed received on the earlier

of the date of actual receipt, or seven (7) days after mailing or sending. To request a hearing, complete and return the enclosed Appearance and Request for Hearing Form to one of the above addresses. If Respondent will not be represented by an attorney at the hearing, please complete the Appearance and Request for Hearing Form as “pro se”. Once a written request for a hearing is received, the Commissioner may issue a notification of hearing and designation of hearing officer that acknowledges receipt of a request for a hearing, designates a presiding officer and sets the date of the hearing in accordance with Section 4-177 of the Connecticut General Statutes and Section 36a-1-21 of the Regulations of Connecticut State Agencies. If a hearing is requested, the hearing will be held either in person at the Department’s offices or remotely via videoconference using Microsoft Teams on September 17, 2021, at 10 a.m.

If a hearing is requested, it will be held in accordance with the provisions of Chapter 54 of the Connecticut General Statutes, unless Respondent fails to appear at the requested hearing. At such hearing, Respondent will have the right to appear and present evidence, rebuttal evidence and argument on all issues of fact and law to be considered by the Commissioner. Any remote hearing will be held in accordance with Section 149 of June Special Session Public Act 21-2, and the Remote Hearing Guidelines available on the Department’s website at <https://portal.ct.gov/dob>.

If Respondent does not request a hearing within the time prescribed or fails to appear at any such hearing, the allegations herein will be deemed admitted. Accordingly, the Commissioner will issue an order revoking Respondent’s mortgage loan originator license in Connecticut.

So ordered at Hartford, Connecticut
this 12th day of August 2021.

/s/

Jorge L. Perez
Banking Commissioner