

IN861/KB  
MO2605454/KB

OAH Docket No. \_\_\_\_\_

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR DEPARTMENT OF COMMERCE

In the Matter of Crystal Lynn Dodge-Busch  
and Precision Lending, Inc.

**NOTICE OF AND ORDER FOR  
HEARING, ORDER TO SHOW CAUSE,  
ORDER FOR SUMMARY SUSPENSION,  
AND STATEMENT OF CHARGES**

TO: Crystal Lynn Dodge-Busch  
482 Liberty Circle  
Somerset, WI 54025

Precision Lending  
482 Liberty Circle  
Somerset, WI 54025

**NOTICE OF HEARING**

**RESPONDENTS CRYSTAL LYNN DODGE-BUSH and PRECISION LENDING  
ARE HEREBY NOTIFIED** that the Department of Commerce has initiated this action to  
determine whether Respondents have committed the violations alleged below, subjecting their  
licenses to disciplinary action.

**ORDER TO SHOW CAUSE**

**IT IS HEREBY ORDERED** that, pursuant to Minn. Stat. §§ 45.027, subd. 7(b) (2004),  
Respondents must show cause why their licenses should not be revoked or suspended and why  
they should not be subject to censure or a civil penalty as provided in Minn. Stat. § 45.027,  
subds. 6-7 (2004).

**ORDER FOR SUMMARY SUSPENSION**

**IT IS FURTHER ORDERED** that the insurance producer's license of Respondent  
Crystal Dodge-Busch is **SUMMARILY SUSPENDED** under Minn. Stat. § 45.027, subd. 7(b)  
(2004), pending final determination of the Order to Show Cause.

**IT IS FURTHER ORDERED** that the real estate mortgage originator license of Respondent Precision Lending is **SUMMARILY SUSPENDED** under Minn. Stat. § 45.027, subd. 7(b) (2004), pending final determination of the Order to Show Cause.

### **ORDER FOR HEARING**

**IT IS FURTHER ORDERED** that a contested case hearing on the Order to Show Cause will be held on Wednesday, November 1, 2006 at 9:30 a.m. at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota. Chief Administrative Law Judge Raymond R. Krause will preside over this matter at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7642.

The hearing will be conducted under the contested case procedures set out in Chapters 14 and 45 of Minnesota Statutes (2004) and the Rules of the Office of Administrative Hearings, Minnesota Rules Chapter 1400 (2005). A copy of these materials may be purchased from the Minnesota Book Store, telephone (651) 297-3000, or are available at [www.revisor.leg.state.mn.us](http://www.revisor.leg.state.mn.us). Copies of the rules are also available at [www.oah.state.mn.us](http://www.oah.state.mn.us).

The attorney for the Department of Commerce is Assistant Attorney General Michael J. Tostengard, 1200 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101-2130, (651) 296-9701. Mr. Tostengard may be contacted to discuss discovery or informal disposition of this matter.

### **STATEMENT OF CHARGES**

#### **ALLEGATIONS**

1. Respondent Crystal Dodge-Busch ("Dodge-Busch") is an officer of Verity Title & Abstract, Inc. ("Verity Title"). Dodge-Busch's father, Dale Dodge, is the chief executive officer

of Verity Title. Verity Title is a title insurance agency. Dodge-Busch was licensed as a title insurance agent, license no. 20491915. The license expires October 31, 2006. Dodge-Busch held an appointment with First American Title Insurance Company until June 1, 2005. Dodge-Busch also is a principal owner (possessing 80%) of Precision Lending, Inc. ("Precision"), which has real estate mortgage originator license, No. 20544462. Precision does business as "Mortgage and Investment Consultants." Dodge is the Respondent in a separate disciplinary action brought by the Department.

2. In May 2005, the Department commenced an investigation of Verity Title, Dodge and Dodge-Busch. The Department's investigation revealed that in the course of conducting Verity Title's title insurance agency business, Dodge and Dodge-Busch misappropriated funds from its escrow account by transferring funds from the escrow account to other accounts, including the Verity Title operating account, the Dodge law firm account, and personal accounts. The monies in the escrow fund were owed to its clients, First American Title Insurance Company and Chicago Title Company, and insurance customers. The Department's investigation further revealed that Dodge and Dodge-Busch misappropriated at least \$1,583,344.21 from the Verity Title escrow account. Dodge and Dodge-Busch utilized the misappropriated funds to make personal purchases and lead an extravagant lifestyle.

3. The Department has determined Dodge-Busch misappropriated at least \$180,000 from the Verity Title trust account. To date, the Department has identified at least 17 instances of misappropriation and at least four instances of improper commingling of funds by Dodge-Busch.

4. This Order is in the public interest.

## **VIOLATIONS**

### **COUNT I**

Respondents demonstrated untrustworthiness, incompetence and financial irresponsibility in violation of Minn. Stat. § 45.027, subd. 7(a)(1)(4) (2004). Retroactive discipline is authorized by Minn. Stat. § 45.027, Subd. 11 (2004).

### **COUNT II**

Respondents improperly converted and withheld funds in their insurance agency business in violation of Minn. Stat. § 60K.43, subd. 1(4) (2004).

### **COUNT III**

Respondents committed fraudulent and deceptive practices in violation of Minn. Stat. § 60K.43, subd. 1(8) (2004).

### **COUNT IV**

Respondents improperly commingled funds in violation of Minn. Stat. § 82.50, subd. 4 (2004).

### **COUNT V**

Respondents failed to observe high standards of commercial honor in violation of Minn. R. 2795.1000 (2005).

### **COUNT VI**

Respondents committed deceptive and dishonest acts and demonstrated untrustworthiness in violation of Minn. Stat. § 58.12, subd. 2(iv) & (v) (2004).

## ADDITIONAL NOTICE

1. Respondents' failure to appear at the contested case hearing and/or prehearing conference may result in a finding that the Respondents are in default, that the Department's allegations contained in the Statement of Charges may be accepted as true, and its proposed action may be upheld.

2. If any party has good cause for requesting a delay of the hearing or prehearing conference, the request must be made in writing to the Administrative Law Judge at least five days prior to the hearing or prehearing conference. A copy of the request must be served on the other party.

3. Any party intending to appear at the hearing or prehearing conference must file a Notice of Appearance form and return it to the Administrative Law Judge within 20 days of the date of service of this Notice and Order. A copy must be served on the Department of Commerce's attorney, Assistant Attorney General Michael J. Tostengard. A Notice of Appearance form is attached.

4. At the hearing, all parties have the right to represent themselves or to be represented by legal counsel, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law. The parties may obtain subpoenas to compel witnesses to attend the hearing. The parties will have the opportunity to be heard orally, to present evidence and cross-examine witnesses, and to submit evidence and argument. Ordinarily, the hearing is tape-recorded. The parties may request that a court reporter record the testimony at their expense.

5. Persons attending the hearing should bring all evidence bearing on the case, including any records or other documents. Be advised that if data that is not public is admitted into the record, it may become public data unless an objection is made and relief is requested under Minn. Stat. § 14.60, subd. 2 (2004).

6. Requests for subpoenas for the attendance of witnesses or the production of documents at the hearing shall be made in writing to the Administrative Law Judge pursuant to Minn. R. 1400.7000 (2005). A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling (612) 341-7600.

7. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

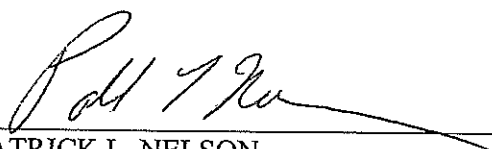
8. The Office of Administrative Hearings conducts contested case proceedings in accordance with the Minnesota Rules of Professional Conduct and the Professionalism Aspirations adopted by the Minnesota Supreme Court. A Guide to Participating in Contested Case Proceedings at the Office of Administrative Hearings is available at [www.oah.state.mn.us](http://www.oah.state.mn.us) or by calling (612) 341-7600.

9. Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, or Braille or large-print materials. If any party requires an interpreter, including a foreign language interpreter, the Administrative Law Judge must be promptly notified. To arrange for an accommodation or an interpreter, contact the Office of Administrative Hearings at 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota 55401, or call (612) 341-7610 (voice) or (612) 341-7346 (TTY).

10. Pursuant to Minn. Stat. § 45.027, subd. 6 (2004), Respondents may be subject to a civil penalty not to exceed \$10,000 per violation upon a final determination that Respondents violated any law, rule or order related to the duties and responsibilities entrusted to the Commissioner.

GLENN WILSON  
Commissioner

Dated: 10/5/06

  
PATRICK L. NELSON  
Deputy Commissioner  
Market Assurance Division

Minnesota Department of Commerce  
85 Seventh Place East, Suite 500  
St. Paul, MN 55101  
Telephone: (651) 296-2488

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STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF COMMERCE

In the Matter of Crystal Lynn Dodge-Busch  
and Precision Lending, Inc.

**NOTICE OF APPEARANCE**

Date: Wednesday, November 1, 2006

Time: 9:30 a.m.

TO: Chief Administrative Law Judge Raymond R. Krause, Office of Administrative Hearings,  
1700 Washington Square, 100 Washington Avenue South, Minneapolis, Minnesota  
55401-2138

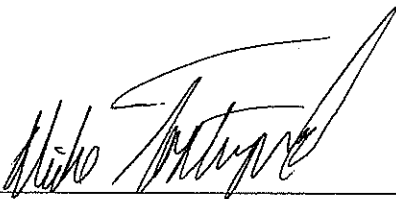
**PLEASE TAKE NOTICE** that the party named below will appear at the hearing in this matter:

Minnesota Department of Commerce  
85 East 7th Place  
Suite 600  
St. Paul, MN 55101  
(651) 296-4026

**PLEASE TAKE FURTHER NOTICE** that the attorney named below will appear on behalf of  
the Department of Commerce:

Michael J. Tostengard  
Assistant Attorney General  
Attorney Reg. No. 204973  
1200 Bremer Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2130  
(651) 296-9701

Dated: 10/5/06

  
\_\_\_\_\_  
MICHAEL J. TOSTENGARD

IN861/KB  
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TO: Chief Administrative Law Judge Raymond R. Krause, Office of Administrative Hearings,  
1700 Washington Square, 100 Washington Avenue South, Minneapolis, Minnesota  
55401-2138

**PLEASE TAKE NOTICE** that the party named below will appear at the hearing in this matter:

Name, Address, and Telephone Number of Party:

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Party's Attorney, Office Address and Telephone Number:

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Dated: \_\_\_\_\_.

\_\_\_\_\_  
Signature of Party/Attorney

**NOTICE:** This Notice must be served upon the attorney for the agency and any other known party. After an attorney has filed a notice of appearance, withdrawal is effective only if a notice of withdrawal is promptly served on all parties and filed with the judge. The notice of withdrawal must include the address and telephone number of the party. Withdrawal of counsel does not create any right to a continuance. Minn. R. 1400.5700.

AG: #1589272-v1



**Re: *In the Matter of Crystal Lynn Dodge-Busch and Precision Lending, Inc.***  
***Commerce File Nos. IN861/KB and MO2605454/KB***

[illegible]

That at the City of St. Paul, County of Ramsey and State of Minnesota, on October 5, 2006, she caused to be served the Notice of and Order for Hearing, Order to Show Cause, Order for Summary Suspension, Statement of Charges, and Notice of Appearance, by depositing in the first class mail at the City of St. Paul, State of Minnesota a true and correct copy thereof, properly enveloped with postage prepaid addressed to all persons at the addresses indicated below:

Precision Lending, Inc.  
482 Liberty Circle  
Somerset, WI 54025

Jean-Anne Gates  
JEAN-ANNE GATES

this 5<sup>th</sup> day of October 2006.

Kathleen St Davis  
NOTARY PUBLIC

