

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF PUC STAFF'S SETTLEMENT AGREEMENT WITH NATIONAL MORTGAGE HOME LOANS LLC FOR VIOLATIONS OF SDCL § 49-31-108	)))))	SETTLEMENT STIPULATION AND AGREEMENT TC25-
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This Settlement Stipulation and Agreement (Agreement) reflects the resolution reached between the Staff of the Public Utilities Commission (Staff) and National Mortgage Home Loans LLC (NMHL) regarding violations of SDCL § 49-31-108.

I. BACKGROUND

On April 29, 2025, Staff received a complaint from a South Dakota resident (Complainant) who claimed to have received unsolicited telephone calls on a cell phone number that has been on the federal Do-Not-Call registry since September of 2006. The complaint alleged that four calls were received from National Mortgage Home Loans on April 29, 2025. Upon reviewing the complaint, Staff reviewed its records and discovered that, although NMHL has been registered with the South Dakota Secretary of State since June 5, 2023, NMHL had never registered as a telemarketer with the Commission.

Staff contacted NMHL officials on May 28, 2025, to inform NMHL that it needed to register with the SDPUC and pay the annual fee. Staff also requested that NMHL answer certain questions relating to the complaint. On June 9, 2025, Staff received a letter from NMHL which contained responses to Staff's questions. NMHL stated in its response letter that it "obtained its licensure to conduct mortgage lending activities in South Dakota in August of 2023." NMHL also stated that it did not begin "acting on lead information until around February 2024." NMHL admitted to ownership of two numbers that made calls to the Complainant on April 29, 2025.

NMHL also admitted that two calls were placed to the complainant's phone number on April 29, 2025. Staff contacted NMHL vice president Antoni Sinistaj regarding the discrepancy of the complaint alleging four calls and NMHL's response showing only two calls placed. Mr. Sinistaj responded with documentation showing two calls were placed. Staff has requested the Complainant provide documentation showing that four calls were received. However, as of the date of this filing, no response has been received from the Complainant.

NMHL has been responsive and respectful to Staff throughout the process. NMHL has registered as a telephone solicitor and is now in compliance with South Dakota's laws.

II. STIPULATION AND AGREEMENT

Now, having come to an agreement that both Parties believe to be reasonable, Staff and Respondent stipulate and agree as follows:

1. Respondent is a mortgage lending company located in Michigan, who acts on leads placing unsolicited telephone calls and is subject to SDCL Chapter 49-31.
2. Respondent failed to register and pay the required annual fee in order to be permitted to make unsolicited telephone calls in South Dakota prior to placing unsolicited telephone calls. Specifically, SDCL § 49-31-105 requires Respondent to pay to the commission an annual fee of not more than five hundred dollars to make unsolicited telephone calls to South Dakota residential telephone subscribers. It is a violation of SDCL § 49-31-108 for a telephone solicitor to make unsolicited calls without first completing the Commission's registration process.
3. Respondent acknowledges that Respondent made two unsolicited calls on April 29, 2025, to a number that was listed on the Do-Not-Call registry.

4. Both Staff and Respondent agree that under SDCL § 49-31-108, Respondent is subject to potential penalties for each unlawful call for a total of \$10,000.
5. For Respondent's failure to comply with SDCL Chapter 49-31, and based on the factors in SDCL § 49-31-108, Staff recommended, and Respondent agreed, to the imposition of a civil penalty in the amount of \$5,000.
6. Staff and Respondent agree that this Stipulation and Settlement Agreement, if approved by the Commission, represents the final disposition of (1) NMHL's failure to register as a telephone solicitor prior to making unsolicited calls during the period of 2024 through 2025, and (2) NMHL's unlawful calls to the Complainant on April 29, 2025. Staff and Respondent further agree that this Stipulation and Settlement Agreement, if approved by the Commission, resolves all matters relating to NMHL that are known to Staff as of the date of this agreement, and Staff will not pursue any further action relating to the violations described in this agreement. However, nothing in this Settlement precludes Staff from filing a complaint based on any future violation.
7. Respondent agrees to make payment of the \$5,000 civil fine within thirty days of receipt of the Commission Order.

WHEREFORE, Staff and NMHL respectfully request the Commission adopt this Settlement Stipulation and Agreement and order a civil fine in the amount of \$5,000 against NMHL as a complete and final resolution of this matter.

Dated this 22 day of August 2025.

South Dakota Public Utilities Commission Staff

By: Jennie L. Fuerst

Name: Jennie Fuerst

Its: Staff Attorney

National Mortgage Home Loans

By: Antoni Senstaj

Name: Antoni Senstaj

Its: VP