

**STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL & PROFESSIONAL REGULATION
DIVISION OF FINANCIAL INSTITUTIONS**

In the Matter of)
CHARLES SIRAGUSA) No. 19TI102
)

To: Charles Siragusa
Law Offices of Charles W. Siragusa
134 N. LaSalle Street, Suite 1050
Chicago, IL 60602

ORDER TO CEASE AND DESIST

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF FINANCIAL INSTITUTIONS (“Department”), having conducted an investigation of the activities of Charles Siragusa (“Siragusa”), pursuant to the Title Insurance Act, 215 ILCS 155/1 et seq., (“Act”), and Section 10-65 of the Illinois Administrative Act, 5 ILCS 100/1-1 to /15-10 (“APA”), hereby issues this **Order to Cease and Desist** (“Order”) for violations of the Act.

STATUTORY PROVISIONS

1. Section 24 of the Act states:

Referral fee; penalty. Except as permitted by this Act or by federal law, regulations or opinion letters, no person shall pay or accept, directly or indirectly, any commission, discount, referral fee or other consideration as inducement or compensation for the referral of title business or for the referral of any escrow or other service from a title insurance company, independent escrowee or title insurance agent. Any violation of this Section 24 is a Class A misdemeanor.

2. Section 21(a)(5) of the Act states inter alia:

(a) The Secretary may refuse to grant, and may suspend or revoke, any certificate of authority, registration, or license issued pursuant to this Act or may impose a fine for a violation of this Act if he determines that the holder of or applicant for such certificate, registration or license:

...

(5) has paid any commissions, discounts or any part of its premiums, fees or other charges to any person in violation of any State or federal law or regulations or opinion letters issued under the federal Real Estate Settlement Procedures Act of 1974;

3. Section 21(h) of the Act states in relevant part:
 - (h) The Secretary may issue a cease and desist order to a title insurance company, agent, or other entity doing business without the required license or registration, when in the opinion of the Secretary, the company, agent, or other entity is violating or is about to violate any provision of this Act or any law or of any rule or condition imposed in writing by the Department.

The Secretary may issue the cease and desist order without notice and before a hearing.

4. Section 23(a) of the Act provides in part:
 - (a) Any violation of any of the provisions of this Act and, beginning January 1, 2013, any violation of any of the provisions of Article 3 of the Residential Real Property Disclosure Act shall constitute a business offense and shall subject the party violating the same to a penalty of \$1000 for each offense.

5. Section 2607(a) of the Real Estate Settlement Procedures Act (RESPA) (12 U.S.C.A. §2607(a)) provides:

No person shall give and no person shall accept any fee, kickback, or thing of value pursuant to any agreement or understanding, oral or otherwise, that business incident to or a part of a real estate settlement service involving a federally related mortgage loan shall be referred to any person.

FACTUAL FINDINGS

6. On information and belief, Siragusa is associated with the Law Offices of Charles W. Siragusa, located at 134 N. LaSalle Street, Suite 1050, Chicago, IL 60602.
7. Siragusa is a registered title agent under the Act. (See Exhibit A)
8. On or about February 28, 2019, the Department became aware that Siragusa advertises on his law firm's website (www.99dollarclosing.com), that sellers only pay "\$99 For All The Legal Services You Need When You Sell Your Home!!!" (See Exhibit B)
9. On or about February 28, 2019 the Department also became aware that Siragusa advertises that he is "able to offer such a good deal because [he] is a title agent for all the major title companies." (See Exhibit C)

LEGAL FINDINGS

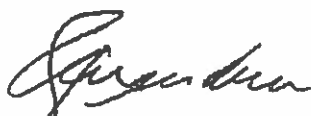
10. Based on the foregoing, the Department finds that Siragusa discounts fees to obtain title business in violation of Sections 21(a)(5) and 24 of the Title Insurance Act and Section 2607(a) of RESPA.

NOW IT IS HEREBY ORDERED:

- I. Siragusa Cease and Desist, pursuant to Section 21(h) of the Act from offering discounted fees to obtain title business in violation of Sections 21(a)(5) and 24 of the Act and Section 2607(a) of RESPA.
- II. Siragusa is ordered to produce documents to the Department, consisting of any and all real estate closing activity for Illinois residents, any and all documents and records containing information relevant to real estate closings where your attorney fees were discounted from June 1, 2018 to February 28, 2019 by **April 22, 2019**.
- III. Siragusa is liable to the Department in an amount up to \$1,000 per violation.

Pursuant to Section 21.2(a) of the Act, service by mail shall be deemed complete when the Order is deposited as registered or certified mail in the post office, postage paid, addressed to the last known address specified in the application for the certificate of authority to do business or certificate of registration of the holder or registrant. Siragusa may request, in writing, a hearing on the Order within 30 days of the date of service.

ORDERED THIS 21 DAY of March, 2019




Francisco Menchaca, Director
Illinois Department of Financial and Professional Regulation
Division of Financial Institutions

CERTIFICATE OF SERVICE

I, Helen Kim, Associate General Counsel of the Illinois Department of Financial and Professional Regulation, hereby certify that on March 21, 2019, I caused a true copy of the foregoing Order to Cease and Desist to be served on the party named below, by causing the same to be sent via certified mail (certified mail receipt #7013 1710 0002 1502 9858) to the following:

Charles Siragusa
Law Offices of Charles W. Siragusa
134 N. LaSalle Street, Suite 1050
Chicago, IL 60602


Helen Kim

Supervisors for Charles Siragusa

Board : Title Insurance
Status : Active
Contact Name : Chicago Title Insurance Company
Credential #: TU.0000004(ACTIVE)

Main Address : Chicago Title Insurance Company
601 Riverside Avenue
Jacksonville, FL 32204

Approved Date :
Inactive Date :
Complete Date :
Expiration Date :

Received Date :
Start Date : 04/24/2006
Change Date :
Supervisor Report
Received Date :

Recommend : N
Comments :

Board : Title Insurance
Status : Active
Contact Name : Commonwealth Land Title Insurance Company
Credential #: TU.0000006(ACTIVE)

Main Address : Commonwealth Land Title Insurance Company
601 Riverside Avenue
Jacksonville, FL 32204

Approved Date :
Inactive Date :
Complete Date :
Expiration Date :

Received Date :
Start Date : 07/08/2013
Change Date :
Supervisor Report
Received Date :

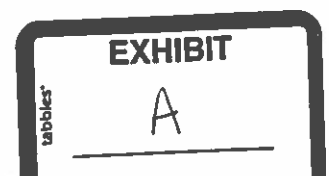
Recommend : N
Comments : DOB 03/23/49
Board : Title Insurance
Status : Active
Contact Name : First American Title Insurance Company
Credential #: TU.0000008(ACTIVE)

Main Address : First American Title Insurance Company
1 First American Way
P.O. Box 267
Santa Ana, CA 92707

Approved Date :
Inactive Date :
Complete Date :
Expiration Date :

Received Date : 02/06/2018
Start Date : 02/06/2018
Change Date :
Supervisor Report
Received Date :

Recommend : N
Comments :



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1-855-5CLOSING (tel 1-855-525-6746) (1-855-525-6746) (tel 1-855-525-6746)

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CONTACT US

Charles W. Siragusa

1-855-525-6746

chuck@99dollarclosing.com

99dollarclosing.com

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WHY PAY MORE?

Yes, if you are selling your home you need the services of Charles W. Siragusa – a competent, experienced, knowledgeable real estate attorney – to represent you when you sell your home.

When you sell your home you must have an attorney to prepare the documents for the sale of your home. But, more importantly, you need Charles W. Siragusa to represent YOUR interests when the buyer's attorney asks for changes to the contract or asks for a reduction in the purchase price because of repairs he claims are needed.

Charles W. Siragusa is uniquely suited to represent you as a seller of your home, because he has represented many sellers of homes in Cook, Lake and DuPage counties. He will make sure the sale closes as scheduled, and that you receive the amount you are legally entitled to get at closing.

Real estate lawyer, Charles W. Siragusa, will take care of all the details, solve any problems that arise and make sure your real estate transaction closes. You can also call Charles W. Siragusa on evenings and weekends and speak to him, NOT a

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Charles Siragusa

Real Estate Attorney

WEDNESDAY



Charles Siragusa • 9:27 PM

Hello,

I am an experienced real estate attorney in the greater Chicago area. I just want to inform you of the excellent deal I offer for sellers—\$99 for all the legal work to represent them in the sale—from negotiating with the buyer's attorney regarding any requested changes to the contract or repairs, to making sure the buyer gets their mortgage, and continuing up through and including the closing, which I always attend in order to make sure the sale closes. Yes, I only charge \$99, and I provide great service that your seller clients will appreciate, since I answer the phone and respond to text messages and emails evenings and weekends. I invite you to visit my website at www.99dollarclosing.com for more information on the services I provide.

I am able to offer such a good deal because I am a title agent for all the major title companies, which pay me for my services by passing through to me a portion of the amount the seller must pay the title company for the buyer's title insurance policy, at no extra cost to the seller. I would welcome the opportunity to meet with you in person at your office, or have coffee or lunch at a location near your office so that I can introduce myself to you in person.

Thank you so much for your time and attention.

Thanks



Okay

EXHIBIT

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