

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

In the Matter of:)
Frank L. Vosholler III) 19TI102
)

To: Frank L. Vosholler III Frank L. Vosholler III
Law Offices of Frank L. Vosholler III 611 Rodney Court
17726 Oak Park Ave, Unit J Lockport, Illinois 60441
Tinley Park, Illinois 60477

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 Frank L. Vosholler III (“Vosholler”) pursuant to its authority under Section 21 of the Title Insurance Act, 215 ILCS 155/1 to /25 (“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 in relevant part:

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) states:

(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 commission, discount 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 Procedure Act of 1974.

3. Section 21(h) of the Act states, in relevant part:

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:

(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) 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. Vosholler is a registered title agent under the Act. *See* Group Exhibit A.
7. On or about February 28, 2019, the Department became aware that Vosholler advertises closing attorney services for \$100.00 that are expressly conditioned on the customer buying a title policy. *See* Exhibit B, attached hereto and made a part of this Order.

LEGAL FINDINGS

8. Based on the foregoing, the Department finds that Vosholler 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 THEREFORE IT IS HEREBY ORDERED:

1. Vosholler 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 Title Insurance Act and Section 2607(a) of RESPA.
2. Vosholler is ordered to **PRODUCE DOCUMENTS** to the Department, consisting of any and all real estate closing activity for Illinois residents, where attorney fees were discounted from June 1, 2018, to February 28, 2019, by **April 19, 2019**.
3. That Vosholler pay a penalty of \$1,000 for each offense.

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. Pursuant to Section 21(d) of the Act, Vosholler may request, in writing, a hearing on the Order within 30 days of the date of service.

ORDERED THIS 29 DAY OF March, 2019.


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

CERTIFICATE OF SERVICE

I, John Crees, Associate General Counsel of the Illinois Department of Financial and Professional Regulation, hereby certify that on March 29, 2019, I caused a true and correct 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 6734 7013 1710 0002 1502 6744) to the following:

Frank L. Vosholler III
Law Offices of Frank L. Vosholler III
17726 Oak Park Ave, Unit J
Tinley Park, Illinois 60477

Frank L. Vosholler III
611 Rodney Court
Lockport, Illinois 60441



John Crees



Illinois Department of Financial and Professional Regulation

Lookup Detail View

Title Insurance Agent

License	Title Underwriter	Location	License Type	Issue Date	Toll Free Phone	Status
TA.04.0405090	Chicago Title Insurance Company	FRANK L VOSHOLLER III 611 Rodney Court Lockport, IL 60441	Title Insurance Agent	04/21/2010		ACTIVE

Contact

Name	MailAddress	PublicAddress
Frank L Vosholler III	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441

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Exhibit A



Illinois Department of Financial and Professional Regulation

Lookup Detail View

Title Insurance Agent

License	Title Underwriter	Location	License Type	Issue Date	Toll Free Phone	Status
TA.08.0810296	First American Title Insurance Company	FRANK L VOSHOLLER III 611 Rodney Court Lockport, IL 60441	Title Insurance Agent	04/21/2015		ACTIVE

Contact

Name	MailAddress	PublicAddress
Frank L Vosholler III	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441

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Illinois Department of Financial and Professional Regulation

Lookup Detail View

Title Insurance Agent

License	Title Underwriter	Location	License Type	Issue Date	Toll Free Phone	Status
TA.13.1306158	Fidelity National Title Insurance Company	FRANK L VOSHOLLER III 611 Rodney Court Lockport, IL 60441	Title Insurance Agent	03/24/2014		ACTIVE

Contact

Name	MailAddress	PublicAddress
Frank L Vosholler III	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441	Frank L Vosholler III 611 Rodney Court Lockport, IL 60441

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THE LAW OFFICE OF
Frank L. Vosholler III

November 27, 2018

[REDACTED]

Re: Sale of your home by [REDACTED]

Dear [REDACTED]:

I am offering this deal only to people who receive this letter from me because you are selling in an area that I have grown up my whole life, and is near and dear to my heart. I have established myself in the community and have been a member of it for over 37 years. I have been practicing real estate law for ten years with the support of my wife and my two little boys.

[REDACTED]

I am not sure if you know this, but when an attorney assists in the selling of your home with your broker, [REDACTED] I am paid by the title company to do the title work. Therefore, I am offering my services to you for only **\$100**. I know that sounds cheap, and you usually pay for what you get, but I am the exception to that rule, and I have the online reviews to back it up. If you are a US Veteran, I will waive fee completely.

I work with every major legal plan, so if you have one through your job, I would also be able to represent you on their terms as well. If you use me on your purchase, I will also represent at a discounted rate of \$450.

If you would like to discuss my qualifications further, then you can do one of two things:

1. Call or Text me at [REDACTED] or email me at [REDACTED] or
2. Contact your broker, [REDACTED] and let them know I will be your attorney of record and we will handle the rest.

Sincerely,

Frank L. Vosholler III
Attorney at Law

Elected as a "Rising Star for 2017" by SuperLawyers Magazine
Voted #1 Real Estate Attorney in 2015 on Thumbtack.com
This is advertising material and I have no affiliations with Rich Clark.

Law Office of Frank L. Vosholler III 17726 Oak Park Unit J Tinley Park, IL 60477
[REDACTED] (Phone) [REDACTED] (Fax) [REDACTED] (E-Mail)

Exhibit B



**Illinois Department of
Financial and Professional Regulation**
100 West Randolph Street
Suite 9-300
Chicago, IL 60601

U.S. MAIL



7013 1710 0002 1502 6734
7013 1710 0002 1502 6734

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 47
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	\$106.7

Legal
Notary
Postmark Here *J.C.* *3/29/19*

Sent
Street or P.O.
City
PS F

Frank L. Vosholler III
Law Offices of Frank L. Vosholler III
17726 Oak Park Ave, Unit J
Tinley Park, Illinois 60477

Instructions

Frank L. Vosholler III
Law Offices of Frank L. Vosholler I
17726 Oak Park Ave, Unit J
Tinley Park, Illinois 60477

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Frank L. Vosholler III
 Law Offices of Frank L. Vosholler III
 17726 Oak Park Ave, Unit J
 Tinley Park, Illinois 60477

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7013 1710 0002 1502 6734

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Certified Mail
 ■ A mailing receipt
 ■ A unique identification
 ■ A record of delivery
Important Remittance
 ■ Certified Mail
 ■ Certified Mail
 ■ NO INSURANCE
 ■ For an additional fee, Endorsement Receipt (PS Form 3800, August 2003) is not required.
 ■ For an additional fee, Endorsement Receipt (PS Form 3800, August 2003) is not required.
 ■ If a postmark is required, a duplicate receipt is not required.



**Illinois Department of
Financial and Professional Regulation**
100 West Randolph Street
Suite 9-300
Chicago, IL 60601



7013 1710 0002 1502 6741
7013 1710 0002 1502 6741

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 47
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	\$ 6.67

Legal Dept
JC Postmark Here *3/29/19*

Ser
Str
or f
City
PS

Frank L. Vosholler III
611 Rodney Court
Lockport, Illinois 60441

Instructions

Frank L. Vosholler III
611 Rodney Court
Lockport, Illinois 60441

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Frank L. Vosholler III
611 Rodney Court
Lockport, Illinois 60441

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
X Addressee
- B. Received by (Printed Name) Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
- Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7013 1710 0002 1502 6741

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Certified Mail

- A mailing receipt
- A unique identifier
- A record of delivery
- Important Return Receipt (PS Form 3811)
- Certified Mail
- NO INSURANCE
- For an additional fee, Endorsement Receipt (PS Form 3811) may be attached to obtain Restricted Delivery, Return Receipt (PS Form 3811) or a duplicate return receipt.
- For an address change, addressee's endorsement is required.
- If a postmark is placed at the post office, the receipt is not valid.

IMPORTANT: See PS Form 3800, August 2003