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In the matter of:)	
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CMS MARKETING GROUP LLC)	ORDER TO CEASE
)	AND DESIST
)	
1041 WEST 18TH STREET)	2025-DB SUP-05
A-203)	
Costa Mesa, CA 92627)	
)	

The Illinois Department of Financial and Professional Regulation, Division of Banking (the “Department”), having conducted an examination of facts related to CMS Marketing Group LLC (“CMS”) with a principal address of 1041 West 18th Street, A-203, Costa Mesa, CA 92627, and having found that CMS has committed a violation of Section 46(d) of the Illinois Banking Act (“Act”) [205 ILCS 5/46(d)], hereby issues this ORDER pursuant to Section 46(d) of the Act.

The Secretary makes the following Findings of Fact:

1. CMS operates a business with a principal address of 1041 West 18th Street, A-203, Costa Mesa, CA 92627.
2. CMS has been mailing marketing materials and solicitations to customers for offers of home warranty products or services for their residences in connection with a customer's residential mortgage issued by Morton Community Bank (the "Bank"), an existing Illinois-chartered State bank.
3. In these mailings of marketing materials and solicitations, CMS includes the number of its home warranty sales representative license issued by the Florida Department of Financial Services, #G145310, and uses the Bank's name.
4. The Bank has not granted CMS permission to use the name of the Bank in CMS's marketing materials or solicitations for business.

5. Section 46(d)(1) of the Act provides:

Unless otherwise expressly permitted by law, no person, firm, partnership, or corporation may use the name of an existing bank when marketing to or soliciting business from customers or prospective customers if the reference to the existing bank is made without the consent of the existing bank.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, it is CONCLUDED:

1. CMS has violated Section 46(d)(1) of the Act.

NOW THEREFORE IT IS HEREBY ORDERED:

1. Pursuant to Section 46(d)(2) of the Act, CMS shall immediately CEASE AND DESIST from using the name of any existing bank in its marketing materials and solicitations in Illinois until such time as CMS has been granted express consent and permission; and
2. If after this directive from the Secretary, CMS persists in using any bank names in its marketing materials and solicitations without bank permission, the Secretary may impose a civil penalty of up to \$10,000 for each violation of Section 46(d). Each instance in which the marketing material or solicitation is sent to a customer, or prospective customer shall constitute a separate violation of these provisions.

ORDERED THIS 26th DAY OF SEPTEMBER 2025.

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
MARIO TRETO, JR., SECRETARY

DIVISION OF BANKING

By:



Susana Soriano
Acting Director

You are hereby notified that this Order is an administrative decision. Pursuant to Section 48 of the Illinois Banking Act [205 ILCS 5/48] and the rules promulgated thereunder on Hearings Before the Division of Banking and Division of Financial Institutions [38 Ill. Adm. Code 100.5 *et seq.*], an affected party may file a petition for a hearing on an administrative

decision by the Director. The petition for a hearing must be filed within 10 days after service of this Order by mail to the Department at 555 W. Monroe St., Suite 500, Chicago, IL 60661, Attn: Angela Alexandrakis with an electronic copy by email to DOB.Legal@illinois.gov and Angela.Alexandrakis@illinois.gov. The petition for hearing must be in writing and set forth the petitioner's license number (if applicable), docket number of the administrative decision that resulted in discipline, and date of the administrative decision, pursuant to 38 Ill. Adm. Code 100.30(c). A party that requests a hearing shall pay a \$500 nonrefundable fee to the Department in accordance with 38 Ill. Adm. Code 100.20. After receipt of a properly completed and timely petition for hearing, a case will be docketed and notice sent to the petitioner setting forth the date, time, and place of the hearing. Absent a petition for a hearing, this Order shall constitute a final administrative decision subject to the Administrative Review Law [735 ILCS 5/3-101 *et seq.*].