

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF BANKS AND REAL ESTATE

IN THE MATTER OF:)
) No. 2004-BRF-74
MORTGAGE SERVICES, INC.)
Attn.: Mark Young)
1801 E. Empire, Suite 2)
Bloomington, IL 61704)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banks and Real Estate (the “Department”), having conducted an examination of the facts related to Mortgage Services, Inc. (“MSI”), 1801 E. Empire, Suite 2, Bloomington, Illinois 61704, (the “Licensee”), pursuant to the Residential Mortgage License Act of 1987 (the “Act”) [205 ILCS 635], and the rules promulgated under the Act (the “Rules) [38 Ill. Adm. Code 1050], hereby issues this ORDER pursuant to the authority provided under Section 4-5 of the Act. The Department makes the following:

FINDINGS

1. That Mortgage Services, Inc. is an Illinois residential mortgage licensee holding license No. MB.0001072 and located at 1801 E. Empire, Suite 2, Bloomington, Illinois 61704;
2. That Licensee is a wholly owned subsidiary of CIB Marine Bancshares, Inc.;
3. That an investigation by Mortgage Banking Regulation in the Department found deficiencies in the Licensee’s performance of quality control and documentation in the funding of certain residential mortgage loans for residential real properties in Decatur, Illinois;
4. That Licensee opened and operated additional full service offices in Danville, Peoria, and Niles, Illinois in facilities of CIB Marine Bancshares, Inc. without first applying for a license as required under the Act; and

5. That the Department discovered these additional full service offices during the Licensee's April 2004 compliance examination and that this constituted a repeat exam violation from a prior examination.

CONCLUSIONS

BASED UPON THE ABOVE FINDINGS, THE DEPARTMENT IS OF THE OPINION AND CONCLUDES:

1. That Licensee violated Section 4-5(i)(2) of the Act by committing one or more acts of negligence in mortgage financing transactions for certain residential real properties in Decatur, Illinois investigated by the Department;
2. That Licensee violated Section 4-5(i)(11) and (17) by failing to submit an application and obtain the Department's approval prior to opening and operating additional full service offices as required in Section 2-8 of the Act and Section 1050.350 of the Rules; and
3. That the Licensee's acts in violation of Section 4-5(i)(2), (11), and (17) constitute grounds for disciplinary action under Section 4-5(h)(5) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of MORTGAGE SERVICES, INC. is fined \$25,000 pursuant to Section 4-5(h)(5) of the Act. Licensee shall remit the payment of the \$25,000 fine no later than 30 days after the effective date of this order by means of a certified check or money order payable to the: Department of Financial and Professional Regulation, Division of Banks and Real Estate, 500 E. Monroe, Suite 800, Springfield, IL 62701-1509.

ORDERED THIS 22nd DAY OF JULY 2004

DEPARTMENT OF FINANCIAL
AND PROFESSIONAL REGULATION
of the State of Illinois;
FERNANDO E. GRILLO, SECRETARY

DAVID S. RODRIGUEZ
Deputy Director
Division of Banks and Real Estate

You are hereby notified that this Order is an administrative decision. Pursuant to 205 ILCS 635/4-12 and 38 Ill. Adm. Code, 1050.1510 *et seq.* any party may file a request for a hearing on an administrative decision. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision accompanied by the hearing fee required in 38 Ill. Adm. Code 1050.270. The Department of Financial and Professional Regulation, Division of Banks and Real Estate shall hold a hearing within 30 days after the receipt by the Department of a request for a hearing. Absent a request for a hearing, this Order shall constitute a final administrative Order subject to the Administrative Review Law [735 ILCS 5/3-101 *et seq.*].