

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
QUOTE ME A RATE.COM, INC.) No. 2006-MBR-08-b
ATTN: Richard Barroso)
10333 Harwin Drive, Suite 425)
Houston, TX 77036)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the "Department"), having conducted an examination of the facts related to Quote Me A Rate.Com, Inc., 10333 Harwin Drive, Suite 425, Houston, Texas, 77036, (the "Licensee"), and having found that the Licensee committed a violation of the Residential Mortgage License Act of 1987 [205 ILCS 635] (the "Act"), and of the rules promulgated under the Act [38 Ill. Adm. Code 1050], (the "Rules") hereby issues this ORDER pursuant to the authority provided under Section 4-5 of the Act. The Department makes the following:

FINDINGS

1. That Quote Me A Rate.Com, Inc. is an Illinois residential mortgage licensee holding license No. MB.6759104 and located at 10333 Harwin Drive, Suite 425, Houston, Texas, 77036;
2. That on April 20 2005, the Department conducted an examination of Licensee and the examiner found several violations, the violations are as follows:
 - a. Failure to license Additional Full-Service Offices located at 3140 W. 204th Street, Olympia Fields, Illinois and 5301 E. State Street, #216, Rockford, Illinois wherein Licensee originated 30-32 known loan applications (Sections 1-3 and 2-8 of the Act, Sections 1050.350 and 1050.1030 of the Rules)
 - b. Improper Maintenance of Records - Loan Log did not contain all Illinois applications, including those from unlicensed Additional Full Service Offices in Item (a), and was missing information fields including application date, property seller names, loan amount, terms (APR), loan program, loan originators registration numbers, appraisers names and license numbers, and amount of points and fees charged (Section 1050.1175 of the Rules)
 - c. Prohibited Net Branch Practice with an entity not licensed or exempt (Section 1050.910 and 1050.1030 of the Rules)
 - d. Failure to register five loan originators as cited in examiner's report, failure to provide six hours of continuing education in calendar year 2004 for eleven loan originators as cited in

- examiner's report and other issues raised therein (Sections 1-4, 2-4 and 7-1 of the Act and Sections 1050.140, 1050.2120, 1050.2125, 1050.2225, and 1050.2220, of the Rules)
- e. Failure to notify borrowers of changes affecting loan in process (Section 1050.1230 of the Rules)
 - f. Failure to provide Yield Spread Premium as dollar amount on Good Faith Estimate (Rules Section 1050.1110(d), 1050.1250, and 1050.1350 and 24 CFR Part 3500.7(c));
 - g. Failure to provide a Loan Approval Notice in nine files reviewed by examiner (Section 1050.1305 of the Rules)
 - h. Failure in Loan Brokerage Disclosure Statements to disclose realty company affiliation (Section 1050.1020 of the Rules)
 - i. Failure to provide loan originator number in Loan Brokerage Agreement (Section 1050.1010 of the Rules)
 - j. Improper Posting of license on website (Section 2-9 of the Act, Rules Sections 1050.1030 and 1050.1350 and 12 CFR Section 3500.14)
 - k. Offering prohibited Referral Fees on a loan originator business card (Rules Sections 1050.1030 and 1050.1350 and 12 CFR 3500.14)
 - l. Violating Avertments (Section 2-4 (d) (q) (r) (s) (t) & (y) of the Act)
 - m. Failure to comply with Loan Application Procedures (Rules Sections 1050.1140 and 1050.1350)
 - n. Violating High Risk Home Loan Act (815 ILCS 137) by failure to make disclosure prior to making a high-risk home loan, informing borrower in writing of the right to Mortgage Awareness Program, and following waiver provisions.
3. That on June 21, 2005, the Department sent to Licensee a Report of Examination and Letter of Supervision via U.S. first-class mail service with a request for a scheduled supervisory meeting on July 13, 2005;
 4. That a supervisory meeting was held on July 13, 2005, with Licensee and the Vice President of Quality Control/Compliance, and that the Department discussed the violations and informed Licensee that the Department would be recommending a fine for operating two (2) Illinois branch offices in Olympia Fields and Rockford without a license, and informing the Attorney General's Office for violation of the High Risk Loan Act;
 5. That on July 21, 2005, the Department sent to Licensee a letter via U.S. first-class mail service to Licensee, and a response due date of August 16, 2005 was given;
 6. That on August 15, 2005, the Department received a phone call from Licensee requesting an extension, and that an extension was granted to respond on August 22, 2005;
 7. That on August 24, 2005, the Department received a phone call from Licensee requesting an extension due to family emergency, and that an extension was granted to respond on September 7, 2005;
 8. That on October 27, 2005, the Department sent to Licensee a letter via U.S. first-class mail service indicating that Licensee's response has not been received by the Department
 9. That on December 30, 2005, the Department sent a Potential Disciplinary Action letter via U.S. first-class mail service, and U.S. certified mail advising Licensee that First Residential Lending, Inc., has failed to comply with the Act and Rules as described in the letter;

10. A return receipt card evidencing receipt of such was received by the Department on January 17, 2006;
11. That Licensee had made contact with the Department via telephone messages on January 4, 2006, January 11, 2006 and January 25, 2006 indicating that the information/documentation was being sent to the Department;
12. That the Department has not received the required documentation/information from Licensee as stated above, nor is the Department in receipt of any written correspondence from the Licensee; and
13. That the Licensee has failed to provide the requested information/documentation requested by the Department.

CONCLUSIONS

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

Licensee committed licensing and other violations cited herein and, notwithstanding notices and other efforts by the Department, has further failed to make timely response to supervisory letters in violation of Section 4-1 of the Act and therefore is in violation of Section 4-5(i) (11), (12), and (17) of the Act.

ORDER

NOW THEREFORE IT IS ORDERED:

1. That QUOTE ME A RATE.COM, INC., License No. MB.6759104, shall be and hereby is assessed a fine in the amount of \$25,000;
2. The fine in the amount of \$25,000 shall be due thirty (30) days after the effective date of this Order upon QUOTE ME A RATE.COM, INC.; and
3. The fine in the amount of \$25,000 shall be paid by means of a certified check or money order made payable to the:

**Department of Financial and Professional Regulation
Division of Banking
ATTN: FISCAL DIVISION, 2ND FLOOR
320 W. Washington Street
Springfield, IL 62786**

ORDERED THIS 23rd DAY OF MARCH 2006

DEPARTMENT OF FINANCIAL
AND PROFESSIONAL REGULATION,
DIVISION OF BANKING,
of the State of Illinois;
DEAN MARTINEZ, ACTING SECRETARY
D. LORENZO PADRON, DIRECTOR

REYNOLD M. BENJAMIN
Assistant Director
Bureau of Residential Finance, Division of Banking

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. A hearing shall be held within 30 days after the receipt by the Department of Financial and Professional Regulation, Division of Banks and Real Estate 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.*].