

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)

No. 2006-MBR-12

ELITE MORTGAGE SERVICES, INC.)

ATTN: Mr. Edward Penry)

564 S. Washington Street, Suite 304)

Naperville, IL 60540)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the "Department"), having conducted an examination of the facts related to Elite Mortgage Services, Inc., 564 S. Washington Street, Suite #304, Naperville, Illinois, 60540, (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 Elite Mortgage Services, Inc. is an Illinois residential mortgage licensee holding license No. MB.0004970 and located at 564 S. Washington Street, Suite, #304, Naperville, Illinois, 60540;
2. That on June 1, 2005, the Department conducted an examination of Licensee and the examiner found several violations as follows;

Failure to comply with Annual Audit and Net Worth Requirements (Section 3-2 and 3-5 of the Act and Section 1050.410 of the Rules); Failure to comply with Maintenance of Records / Loan Log (Section 2-4(c) of the Act and Section 1050.1175 of the Rules); Failure to comply with loan originator registration, education, and employment requirements (Section 7-1 of the Act and Sections 1050.140, 1050.2120, 1050.2125, 1050.2135, 1050.2220, 1050.2250 of the Rules); Failure to comply with Prohibited Practice restriction in its dealings with other entities (Section 1050.1030 of the Rules); Failure to comply with Loan Application Procedure (1050.1140 of the Rules), Loan Approval Notice (1050.1305 of the Rules) and Compliance with other laws (Section 1050.1140 and 1050.1350 of the rules, citing the Patriot Act 031CFR 326 and APR Disclosure Section 226.22(a)(2) of Regulation Z); Failure to comply with Advertising Requirements (Section 1050.940 of the Rules); Failure to comply with bond requirements and notice of expiration (Section 3-1 of the Act);

3. That on September 1, 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 September 27, 2005;
4. That a supervisory meeting was held on September 30, 2005, and that the Department sent to Licensee via U.S. first-class mail service a letter informing Licensee that no residential mortgage applications can be taken due to the fact Licensee's residential mortgage license had lapsed, and that a written response was due on or before October 26, 2005;
5. That on October 17, 2005, Licensee provided response via fax to the Department, but after careful review Licensee's response was incomplete and inaccurate, and a new written response due date was given;
6. That on October 28, 2005, the Department sent to Licensee an additional letter via U.S. first-class mail service and a written response due date of October 31, 2005 was given;
7. That via telephone conversations with the Department, Licensee made its request to the Department to surrender its Residential Mortgage license, and indicated that a fax letter would be submitted to the Department;
8. That the Department advised Licensee at this time of the license surrender process and that all outstanding supervisory issues would need to be resolved for the Department to process Licensee's surrender request;
9. That on October 31, 2005, Licensee provided a response via fax letter to the Department regarding Licensee's request to surrender its residential mortgage license;
10. That on December 22, 2005, the Department sent to Licensee an additional letter via U.S. first-class mail service and a written response due date of December 29, 2005 was given; and
11. That Licensee has failed to provide the information/documentation due by the due dates requested by the Department said information/documentation being required to show Licensee's compliance with the Act and Rules and to permit the Department to process a surrender request.

CONCLUSIONS

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

Licensee committed violations cited in the Report of Examination of June 11, 2005, has not complied with the Department's, has not complied with the Department's surrender procedures, and 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) and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of ELITE MORTGAGE SERVICES, INC., License No. MB.0004970 is revoked by Order of the Department pursuant to Section 4-5(h)(1) of the Act for failure to respond to supervisory letters and comply with the provisions cited herein of the Act and Rules, effective ten days after receipt of this Order, unless you request a hearing pursuant to the RMLA and Subpart N of the Rules, including remitting the hearing fee required by Section 1050.270 of the Rules.

ORDERED THIS 4TH DAY OF APRIL 2006

DEPARTMENT OF FINANCIAL
AND PROFESSIONAL REGULATION,
DIVISION OF BANKING,
of the State of Illinois;
DEAN MARTINEZ, 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 Banking 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.*].