

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF BANKING

IN THE MATTER OF)

) No. 2007-MBR-123-c

Equibanc)

ATTN: Thomas B. King)

5333 Mission Center Road, Suite 380)

San Diego, CA 92108)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the "Department"), having conducted a review of activities conducted by **Equibanc**, (the "Licensee") and having documented violations of 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(h)(1) of the Act. The Department makes the following:

FINDINGS

1. That Equibanc is an Illinois residential mortgage licensee holding license number MB.0006499 (the "License"), and located at 5333 Mission Center Rd, Suite 380, San Diego, California 92108;
2. That Licensee has failed to perform one or more of the requirements of the Act and Rules described below:
 - a. Failure of Licensee to maintain Surety Bond and Fidelity Bond (205 ILCS 635/3-1 and 38 Ill. Admin. Code 1050.490); and
 - b. Failure to pay in timely manner any fee, charge or fine, (205 ILCS 635/4-5)(i)(13));
3. That the Department made efforts as described below to advise Licensee of these unfulfilled requirements so that Licensee can comply with the Act and Rules:
 - a. That on April 30, 2007, the Department received a Notice of Cancellation letter from Licensee's Insurance Company indicating that surety bond coverage shall expire on June 5, 2007;
 - b. That on May 1, 2007, the Department sent to Licensee via U.S. first-class mail service and certified mail, a letter advising Licensee that the surety bond on file with

the Department has been cancelled, that licensee's fidelity bond expired on February 20, 2007, and that such current bonds must be submitted to Department within 10 days;

- c. That a Potential Disciplinary Letter was sent to Licensee on August 9, 2007 via U.S. first-class mail service and certified mail;
- d. That on September 28, 2007, the Department issued Orders No. 2007-MBR-123 & 123-b suspending the license and assessing a \$5,000 fine to Licensee; and
- e. That Licensee, has not paid its fine, submitted a current surety bond and fidelity bond, nor responded to the Department's correspondence.

CONCLUSIONS

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

- 1. That notwithstanding notices and other efforts by the Department, Licensee failed to maintain current surety bond and fidelity bond, and failed to pay its fine in a timely manner; and
- 2. That Licensee is in violation of Sections 3-1 & 4-5(i)(13) of the Act and Section 1050.490 of the Rules, and in further violation of Section 4-5(i)(11) and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of **Equibanc**, License No. MB.0006499 is revoked by Order of the Department pursuant to Section 4-5(h)(1) of the Act for failure to 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 Act and Subpart N of the Rules, including remitting the hearing fee required by Section 1050.210 of the Rules.

ORDERED THIS 1ST DAY OF APRIL, 2008

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DEAN MARTINEZ, SECRETARY

DIVISION OF BANKING
JORGE A. SOLIS, DIRECTOR

REYNOLD M. BENJAMIN
Assistant Director, 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 and, if so requested, a hearing shall be held on the administrative decision, by the Department of Financial and Professional Regulation, Division of Banking. 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.].