

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

IN THE MATTER OF:)
)
) No. 2008-MBR-111-b
NEW MILLENNIUM MORTGAGE GROUP CORP.)
ATTN: Maria L. Padilla)
4959 W. Belmont)
Chicago, IL 60641)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the "Department"), having conducted an examination of licensable activities performed by New Millennium Mortgage Group Corp. (the "Licensee"), and having found that the Licensee committed violations of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635], and of 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)(5) of the Act. The Department makes the following:

FINDINGS

1. That New Millennium Mortgage Group Corp. is an Illinois residential mortgage licensee holding license No. MB.0006042 and located at 4959 W. Belmont, Chicago, Illinois 60641;
2. That on February 1, 2008, the Department conducted an examination of Licensee and the examiner found fourteen violations of the Act and Rules, including nine repeat violations from the prior examination. The violations by the Licensee were cited by the Department in the Report of Examination (ROE) prepared for said examination and are as follows:
 - a. Failure to provide information for the Broker Loan Documentation Summary Report (violation of Section 2-4(d) of the Act);
 - b. Improper Maintenance of Records - Loan Log did not contain property address, loan originator's registration number, appraiser name and license number, seller's name, application date, status of loan file and APR and loan program. Loan File Retention – Licensee was unable to produce four loan files cited in the ROE and selected by the examiner on the loan log, and a fifth loan file cited in the ROE was missing an appraisal report. (violations of Rules Section 1050.1175);
 - c. Loan file showed that a borrower had signed both the Truth in Lending and Good Faith Estimate disclosures blank and that the terms and fees were filled in afterwards (violation of Rules Sections 1050.1140 and 1050.2165(f))
 - d. Truth in Lending Disclosure Statements showed incorrect payment terms in some of the loan files reviewed, disclosing the wrong payment schedule and payment amounts for the

- loans received by the borrowers (violation of 12 CFR 226.18(d) under Rules Section 1050.1140)
- e. Terms, program and expiration dates of the commitment were missing from the loan approval letters for three borrowers cited in the ROE (violation of Rules Section 1050.1305)
 - f. Licensee employed three loan originators who were not registered at the time they originated mortgage loans for eleven borrowers cited in the ROE (violation of Act Section 2-4(z) and 7-1, and Rules Section 1050.2155)
 - g. Licensee used employment agreements with loan originators contrary to the requirements of the Act and failing to take responsibility for the loan originators' activities under the License, and six such agreements lacked signatures as cited in the ROE (violation of Act Section 1-4(d)(6) and Rules Section 1050.140);
 - h. Licensee had four registered loan originators cited for non-compliance with continuing education requirements (violation of Rules Section 1050.2120);
 - i. Licensee failed to return pocket cards and certificates of registration for three loan originators upon the end of their employment (violation of Rules Section 1050.2135); and
 - j. Licensee was unable to provide evidence of business practices, including invoices and other requested information relating to a vendor for marketing and advertising services as cited in the ROE (violation of Act Section 1-4(r)).
3. That on July 23, 2008, the Department's Examination Section sent the ROE to Licensee by U.S. first class mail service with a due date of August 13, 2008 for the Licensee to submit its written response to the examination findings back to the Department; and
 4. That the Licensee failed to submit a response by the due date, and that the Examination Section referred the matter to the Legal Section for enforcement action.

CONCLUSIONS

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

Notwithstanding notices and other efforts by the Department, Licensee is in violation of Act Sections 1-4 (d)(6) and (r), 2-4 (d) and (z), and 7-1 and Rules Sections 1050.140, 1050.1140, 1050.1175, 1050.1305, 1050.2120, 1050.2125, 1050.2135, and 1050.2165, and is in further violation of Act Sections 4-5(i) (11), and (17).

ORDER

NOW THEREFORE IT IS ORDERED:

1. That NEW MILLENNIUM MORTGAGE GROUP CORP., License No. MB.0006042, 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 NEW MILLENNIUM MORTGAGE GROUP CORP.; 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: MORTGAGE BANKING LEGAL
122 S. Michigan Avenue, Suite 1900
Chicago, IL 60603**

ORDERED THIS 22ND DAY OF OCTOBER, 2008

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DEAN MARTINEZ, SECRETARY

DIVISION OF BANKING

JORGE A. SOLIS, DIRECTOR

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.*].