

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

IN THE MATTER OF:)
)
) No. 2008-MBR-130
Rushmore Financial Corp.)
License No. MB.6760320)
Attention: Szymon Puk)
870 E. Higgins Road, Suite 141)
Schaumburg, IL 60173)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having reviewed activities conducted by Rushmore Financial Corp. (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 Rushmore Financial Corp. is an Illinois residential mortgage licensee holding active license number MB.6760320 (the “License”) and located at 870 E. Higgins Road, Suite 141 Schaumburg, IL 60173 (the “Office”);
2. That during a state-wide review on August 19-20, 2008, the Department attempted to conduct a special examination of Licensee to ensure compliance with the new amendments to the Residential Mortgage License Act of 1987, effective June 1, 2008, commonly known as SB1167. The Department examiner found Licensee’s Office to be closed and Licensee unavailable for said examination of its records;
3. That on September 22, 2008, the Department’s Examination Section mailed to Licensee via U.S. first class and registered mail, a letter directing Licensee to submit within 10 days a positive response to the Department that Licensee was still conducting residential mortgage activities under the License and that the Office was open and available for the Department to examine its records, and referred the matter to the Legal Section for enforcement; and
4. That the Department has not received the require response from the Licensee.

CONCLUSIONS

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

That notwithstanding notices and other efforts by the Department, Licensee is in violation of Sections 2-4 and 4-2 of the Act, and Sections 1050.475 and 1050.480 of the Rules, and is in further violation of Sections 4-5(i) (11), (14), and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of Rushmore Financial Corp. ., License No. MB.6760320 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 30th 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.*].