

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

IN THE MATTER OF:)
)
) No. 2008-MBR-35
DELTA MORTGAGE COMPANY)
License No. MB.0003009)
Attention: Julio Vargas)
9456 W. Irving Park Road)
Schiller Park, IL 60176)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the "Department"), having conducted an investigation related to activities conducted by Delta Mortgage Company (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)(5) of the Act. The Department makes the following:

FINDINGS

1. That Delta Mortgage Company is an Illinois residential mortgage licensee holding license No. MB.0003009 and located at 9456 W. Irving Park Road, Schiller Park, Illinois 60176;
2. That the Department conducted an examination of Licensee located at 2911 North Cicero Avenue, Chicago, Illinois 60641 on October 25, 2006 and the Department found violations of Section 3-4(b) of the Act for failure to maintain net worth and Section 1050.1010 of the Rules for failure to provide the loan originator name and registration number on loan brokerage agreements;
3. That the Licensee was thereafter referred to Supervision and provided partial response to supervisory requests, but failed to conclude the supervisory process and refused to accept Department supervisory letter mailed November 13, 2007 and returned to the Department on November 19, 2007 by the U.S. Postal Service as "Attempted Delivery – Addressee Not Known;"

4. That the Department opened an investigation of Licensee on or around November 19, 2007 on information that the Licensee was operating from a new location, unknown to the Department, at 9456 W. Irving Park Road, Schiller Park, Illinois;
5. That on November 21, 2007, a Department investigator conducted an on-site visit to Licensee at 9456 W. Irving Park Road, Schiller Park, Illinois and determined that Licensee was taking loan applications and conducting licensable residential mortgage activities from this new office location without proper signage and submission of change of address or application for an additional full service office location;
6. That on or around December 4, 2007, Licensee filed a change of address application with the Department from the office at 2911 North Cicero Avenue, Chicago, Illinois to the new address at 9456 W. Irving Park Road, Schiller Park, Illinois;
7. That the Department investigator filed a Report of Investigation (“ROI”) and the matter was referred for legal enforcement, and the Department mailed on February 15, 2008 by U.S. first class postage and registered mail to Licensee a Potential Discipline Letter and received signed record of receipt on February 20, 2008; and
8. That the Licensee through its legal counsel responded by letter dated February 28, 2008; however, the Department has reviewed the letter and has found that the response does not remove the Department’s determination that Licensee committed several violations of the Act and Rules cited herein.

CONCLUSIONS

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

That notwithstanding notices and other efforts by the Department, Licensee has failed to respond to a supervisory request, failed to timely provide a change of address, and operated improperly from an office without signage and other provisions for consumers in violation of Sections 1-4(r), 2-4, and 3-4 of the Act and Sections 1050.340 and 1050.480 of the Rules, and is in further violation of Sections 4-5(i) (11) and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Delta Mortgage Company, License No. MB.0003009 shall be and hereby is assessed a fine of \$7,500;
2. The fine in the amount of \$7,500 shall be due thirty (30) days after the effective date of this Order upon Delta Mortgage Company, and
3. The fine in the amount of \$7,500 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 20th DAY OF MARCH, 2008

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF BANKING
JORGE SOLIS, DIRECTOR

REYNOLD M. BENJAMIN
Assistant Director, Bureau of Residential Finance

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.*].