

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

IN THE MATTER OF:)
)
) No. 2008-MBR-95
)
FIRST STAR FINANCIAL CORPORATION)
License No. MB.6759248)
ATTN: David Johnson)
1355 Remington Road, Suite T)
Schaumburg, IL 60173)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the "Department"), having performed an investigation relating to advertising activities conducted by First Star Financial Corporation (the "Licensee") and having documented violations of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635] and rules promulgated thereunder (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 First Star Financial Corporation, is an Illinois residential mortgage licensee holding license number MB.6759248 (the "License") and located at 1355 Remington Road, Suite T, Schaumburg, Illinois 60173;
2. That on March 1, 2008, the Department conducted an examination of Licensee and the Report of Examination and its findings were referred to the Supervision Section;
3. That on April 17, 2008, the Department received a consumer complaint regarding Licensee's use of a fictitious name in an advertisement and a Department investigator (the "Investigator") opened an investigation;
4. That around May 1, 2008, the Investigator filed a Report of Investigation, along with a copy of the advertisement, and the matter was referred to Legal Section for recommended enforcement for misleading and deceptive advertising and other advertising violations;

5. That the advertising matter was thereafter joined with the supervisory process already underway and a Supervision Section meeting was held with Licensee on July 8, 2008 at which time the Licensee repeated the explanation provided to the Investigator that the use of the fictitious name was a marketing technique; and
6. That on September 2, 2008, the Department sent to Licensee a Potential Disciplinary Letter via U.S. registered return receipt mail service, and Licensee provided a written response dated September 4, 2008.

CONCLUSIONS

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

That Licensee has used a misleading and deceptive advertisement in violation of Section 3-3 of the Act and Section 1050.950 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 First Star Financial Corporation, License No. MB.6759248, shall be and hereby is assessed a fine of \$500 for the advertising violations cited herein;
2. The fine in the amount of \$500.00 shall be due thirty (30)days after the effective date of this Order upon First Star Financial Corporation; and
3. The fine in the amount of \$500.00 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 16TH DAY OF SEPTEMBER, 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.*].