

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2009-MBR-144
UNITED MORTGAGE SERVICES)
License No. MB.6760020)
Attention: Joe Natalizio)
2055 W. Army Trail Road, Suite 100)
Addison, IL 60101)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having investigated the licensable activities of United Mortgage Services, (the “Licensee”) and 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 United Mortgage Services is an Illinois residential mortgage licensee holding license number MB.6760020 (the “License”) and located at 2055 W. Army Trail Road, Suite 100, Addison, Illinois 60101;
2. That on or around February 18, 2009, the Department received a complaint alleging that Licensee and its employee, Rocky DiTuri (“DiTuri”), were advertising on a website without proper identification as an “Illinois Residential Mortgage Licensee” and loan originator credentials;
3. That on February 19, 2009, the Department opened an investigation determining from the facts that Licensee’s website did not identify Licensee as an “Illinois Residential Mortgage Licensee” and further determining, despite a name discrepancy in the registration records, that DiTuri did hold a valid certificate of registration;
4. That on March 4, 2009, the Department investigator filed a final Report of Investigation (the “ROI”) citing advertising and posting violations of the Act and Rules and referring the violations for enforcement;
5. That on May 7, 2009, Legal Section sent Licensee a Potential Discipline Letter, and Licensee sent a written response dated May 12, 2009 including a copy of the website page dated

6. May 8, 2009 which contained the words “An Illinois Residential Mortgage Licensee” and other explanation and documentation; and
7. That the Department has reviewed the ROI and Licensee’s response and finds that, although subsequently corrected, Licensee committed an advertising violation by not identifying itself as an “Illinois Residential Mortgage Licensee” on its website at the time of the complaint and investigation.

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 Section 3-3 of the Act, and Section 1050.940 of the Rules, and is in further violation of Sections 4-5(i) (11) and (17) of the Act.

ORDER

NOW THEREFORE IT IS ORDERED:

1. That UNITED MORTGAGE SERVICES, License No. MB.6760020, shall be and hereby is assessed a fine in the amount of \$500;
2. The fine in the amount of \$500 shall be due thirty (30) days after the effective date of this Order upon UNITED MORTGAGE SERVICES; and
3. The fine in the amount of \$500 shall be paid by means of a certified check or money order made payable to the Department at the following address:

**Department of Financial and Professional Regulation
Division of Banking
ATTN: MORTGAGE BANKING
320 West Washington, 6th Floor
Springfield, IL 62786**

ORDERED THIS 2ND DAY OF JUNE, 2009

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
MICHAEL T. MCRAITH, ACTING 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.*].