

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2009-MBR-202
BANC TRUST, INC.)
ATTN: Joshua Orlan)
7366 N. Lincoln Avenue, Suite 404)
Lincolnwood, IL 60712)
License No. MB.0003017)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having examined Banc Trust, Inc., (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) (1) of the Act. The Department makes the following:

FINDINGS

1. That Banc Trust, Inc., is an Illinois residential mortgage licensee holding license number MB.0003017 (the “License”) and located according to Department records at 7366 N. Lincoln Avenue, Suite 404, Lincolnwood, Illinois, 60712;
2. That the Licensee applied for surrender of the License, and in response to Licensee’s application to surrender its Illinois residential mortgage license, the Department contacted Licensee by U.S. first-class mail on October 31, 2008 for purposes of identifying deficient items for the Licensee in its surrender application;
3. That the Licensee was provided with a due date in this deficiency letter in which Licensee was required to supply all missing information/documentation or advised that the Licensee’s file would be submitted to the Legal Section to begin the revocation process;
4. That an enforcement issue was created on June 23, 2009 due to Licensee’s failure to properly renew the License or provide all missing information/documentation for its License surrender application by the due dates;
5. That a Potential Disciplinary Letter was sent to Licensee on July 1, 2009, via U.S. first-class and certified mail service;

6. That on or around July 24, 2009, the Department received said certified and U.S. first-class letters back from The Heritage Office Center indicating that “Licensee was no longer located at said office;” and
7. That Licensee has failed to properly renew the License or provide to the Department the requested information or documentation for its License surrender application by the due dates as requested by the Department.

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, 2-6 of the Act, and Sections 1050.475 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 that the license of **BANC TRUST, INC.**, License No. MB.0003017 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 4TH DAY OF AUGUST, 2009

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
BRENT E. ADAMS, 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.*].