

**STATE OF ILLINOIS**

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**

**DIVISION OF BANKING**

IN THE MATTER OF: )  
)  
) No. 2009-MBR-205  
**CUSTOM MORTGAGE, LLC** )  
ATTN: John Neal II )  
5 E College Suite 104 )  
Arlington Heights, IL 60007 )  
License No. MB.6760198 )

**ORDER ASSESSING FINE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having reviewed and examined the activities of Custom Mortgage, LLC (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 Custom Mortgage, LLC is an Illinois residential mortgage licensee holding license number MB.6760198 (the “License”) and located at 5 E. College, Suite 104, Arlington Heights, Illinois, 60007;
2. That on January 23, 2009, the Department’s Supervision Section sent a letter to Licensee requiring additional information with response due on 2/13/2009;
3. That on March 9, 2009, Supervision Section received from Licensee one part of the requested response (audit engagement letter);
4. That on March 10, 2009, Supervision Section sent an electronic mail message to Licensee that the Department had received the audit engagement letter, and a telephone conversation followed with Licensee wherein Licensee stated that the response was delivered to the Department’s receptionist on 2/25/2009; however, no copy was kept and Licensee was requested to resubmit;
5. That on March 12, 2009, Supervision Section received the additional response noting that it lacked any identification or letterhead;

6. That on May 14, 2009, Supervision Section created an enforcement issue for Licensee's failure to make timely response to a supervisory letter in violation of Section 4-1(r) of the Act;
7. That a Potential Disciplinary Letter was sent to Licensee on July 9, 2009, via U.S. first-class and certified mail service; and
8. That the Department has reviewed Licensee's letter in mitigation of the penalty but has determined a violation occurred.

### **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 4-1(r) of the Act and Section 1050.430 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 CUSTOM MORTGAGE, LLC, License No. MB.6760198, 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 CUSTOM MORTGAGE, LLC; 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 of Financial and Professional Regulation  
Division of Banking  
ATTN: FISCAL DIVISION  
320 West Washington, 6<sup>th</sup> Floor  
Springfield, IL 62786**

ORDERED THIS 10<sup>TH</sup> DAY OF AUGUST, 2009

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
BRENT E. ADAMS, ACTING SECRETARY  
DIVISION OF BANKING

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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.*].**