

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

IN THE MATTER OF:)
)
) No. 2009-MBR-294
FREEDOM MORTGAGE TEAM, INC.)
License No. MB.0006074)
Attention: Nick Memeti)
2239 W. North Ave.)
Chicago, IL 60647)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the "Department"), having reviewed and investigated activities conducted by Freedom Mortgage Team, Inc., (the "Licensee" or "FMT") 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)(1) of the Act. The Department makes the following:

FINDINGS

1. That Freedom Mortgage Team, Inc. is an Illinois Residential Mortgage Licensee holding inactive license number MB.0006074 (the "License"), lapsed 12/17/2008, and located according to Department licensing records at 2239 W. North Ave., Chicago, Illinois 60647;
2. That on July 27, 2009, the Department issued Order No. 2009-MBR-199 (the "First Order") fining Licensee \$25,000 for cited violations of the Act and Rules;
3. That Licensee thereafter did not pay the fine imposed by the First Order which was due and payable to the Department within thirty (30) days;
4. That the Department's records show that Licensee has further failed to timely pay an examination fee of \$1,224 invoiced by the Department for Licensee's 2008 regular examination;
5. That Licensee has not acted at any time to properly renew or surrender the License as required by the Act and Rules, nor has Licensee acted to comply with reporting and other requirements of the Act and Rules, including, but not limited to, failure to report its activities to the Department and maintain surety and fidelity bonds to cover said activities;

6. That on November 23, 2009 in a related matter of consumer protection, the Attorney General of the State of Illinois filed a complaint for injunctive and other relief against Freedom Mortgage Team, Inc. and Nevrus Mehmeti (a/k/a Nick Memeti; "Memeti"), individually and as owner, president and secretary of FMT in the Circuit Court of Cook County, Illinois, Chancery Division (Case No. 09 CH 46864) for violating cited provisions of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/1 et seq.] and the Mortgage Rescue Fraud Act [765 ILCS 940];
7. That said Attorney General's complaint for injunctive and other relief alleges, among other things, the following:
 - a. that FMT and Memeti from at least July 2008 and continuing to date has advertised throughout the United States, including to Illinois consumers, that they can assist homeowners who are behind in their mortgage payments and that FMT and Memeti have engaged in unfair acts or practices and violated the aforementioned Illinois laws by their course of conduct with consumers in offering, receiving payments for, and not delivering the offered mortgage rescue, loan modification, and/or mortgage refinancing services;
 - b. that FMT and Memeti misrepresent that they will act as the consumers' agents in loan modification negotiations with their mortgage holders or servicers, but then merely forward on paperwork received from the consumers and fail to engage in any negotiations, or take action that the consumers could have performed just as easily themselves;
 - c. that FMT and Memeti misrepresent orally that they will act as the consumers' attorney by appearing in court on the consumers' behalf when, in fact, they do not appear in court on behalf of the consumers, and FMT's "Standard Working Agreement" states that they do not perform legal services;
 - d. that FMT and Memeti fail to inform consumers of their statutory right to cancel their contract with FMT and Memeti and only offer consumers a five day right to cancel;
 - e. that FMT and Memeti misrepresent, both orally and in writing, that they will refund the consumers' payment if they are unable to obtain a solution with the mortgage lender, then fail to do so;
 - f. that FMT and Memeti are "distressed property consultants" as that term is defined under Section 5 of the Mortgage Rescue Fraud Act and have violated Section 10 of that Act by engaging in unfair acts or practices by failing to fully disclose the exact nature of their services, failing to provide the requisite "Notice Required by Illinois Law" on their "Standard Working Agreement", and failing to provide the requisite "Notice of Cancellation" on their "Standard Working Agreement";
 - g. that FMT and Memeti have violated Section 50 of the Mortgage Rescue Fraud Act by claiming, demanding, charging, collecting and/or receiving compensation in the amount of \$1,500 before fully performing the services it contracted to perform, and inducing or attempting to induce owners into entering into FMT's "Standard Working Agreement"

which does not provide the “Notice Required by Illinois Law” or “Notice of Cancellation” as required by that Act; and

8. That the Findings of the First Order are adopted and incorporated by reference and added to the aforementioned findings 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 is in violation of Sections 2-4(a),(d),(j),(k),(l),(n),(o),(r),(s),(t) & (y), 2-6, 3-1, 3-3, and 4-8.3 of the Act, and Sections 1050.340(a), 1050.470, 1050.475 (a) & (b), 1050.490, 1050.610, 1050.620, 1050.630, 1050.640, 1050.930, and 1050.950 of the Rules, and is in further violation of Sections 4-5(i)(2), (6),(7),(11),(13), and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of FREEDOM MORTGAGE TEAM, INC., License No. MB.0006074 is revoked by Order of the Department 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 ____ DAY OF _____, 2009

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