

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

IN THE MATTER OF:)
)
) No. 2009-MBR-81
VICTORIA MORTGAGE CORPORATION OF ILLINOIS)
License No. MB.0004368)
Attention: Nicholas Nardella)
799 Roosevelt Road, Building 4, Suite 313)
Glen Ellyn, IL 60137)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having examined Victoria Mortgage Corporation of Illinois, (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 Victoria Mortgage Corporation of Illinois is an Illinois residential mortgage licensee holding inactive, lapsed license number MB.0004368 (the “License”) and located at 799 Roosevelt Road, Building 4, Suite 313, Glen Ellyn, Illinois, 60137;
2. That the Department found violations of the Act and Rules in the Report of Examination (“ROE”) of Licensee for the period 9/1/2004 to 8/31/2007 and as transmitted by the Department to Licensee on June 25, 2008. Based upon the ROE, the following violations were cited:
 - a. Net Worth Requirement – Licensee failed to submit financial statements for fiscal years ending December 31, 2005 and December 31, 2006 and examination period ending August 31, 2007 and Licensee’s compliance with minimum net worth and liquidity requirements of the Act and Rules could not be verified by the Department (violation of Section 3-5 of the Act and Section 1050.410(c) of the Rules);
 - b. Late Audit Reports – Licensee failed to submit its fiscal year end financial statements as of December 31, 2004, December 31, 2005, and December 31, 2006 within 90 days after the end of the Licensee’s fiscal year to the Department (violation of Section 1050.430 of the Rules)

- c. Loan Brokerage Agreement – Licensee’s Loan Brokerage Agreement failed to incorporate required provisions as cited in the ROE (violation of Section 1050.1010(b)(e)(2)(h) of the Rules);
 - d. Loan Brokerage Disclosure Statement – Licensee’s Loan Brokerage Disclosure Statement failed to properly order content disclosure as cited in the ROE (violation of Section 1050.1020 of the Rules);
 - e. Borrower Information Document – Licensee failed to update Department references as cited in the ROE (violation of Section 1050.1110(a) of the Rules);
 - f. Description of Required Documentation – Licensee failed to provide a description of required documentation for processing and underwriting the loan application in eight (8) selected for review (violation of Section 1050.1120 of the Rules);
 - g. Changes Affecting Loans in Process – Licensee failed to provide the required Notice of Change Affecting Loans in Process to a borrower when changes occurred in loan program and note rate prior to closing of the loan (violation of Section 1050.1230(a) of the Rules);
 - h. Approval Notice – Licensee failed to include in its approval notification to the applicant the commitment expiration date, loan terms, and, if applicable, circumstances which may impact the interest rate, monthly payment and/or repayment term, as per the Rules (violation of Section 1050.1305 of the Rules);
 - i. Continuing Education – Licensee’s loan originators failed to complete the required six hours of continuing education for the calendar year(s) as indicated: Allison Bogash (2004), Suzana Radojic (2004 & 2005), Lynna Tyler-Fields (2005), Jeanette Goodman (2005), and Hkeem Dupart (2006) (violation of Section 1050.2120(a) of the Rules);
 - j. Compliance with Other Laws – Licensee was found in violation of other laws cited in the ROE, including Reg. Z (TILA Regulations) for content of disclosures (12 CFR 226.18(g)(k)(l)(m)(q)), certain residential mortgage and variable rate transactions (12 CFR 226.19), and determination of Annual Percentage Rate (12 CFR 226.22(a)), and Reg. X (RESPA Regulations) (24 CFR 3500.8(b)) (violation of Section 1050.1350 of the Rules);
3. That on January 8, 2009, Examination Section closed the examination file with the recommendation that the License be revoked. Further, the Licensee has not paid the exam fee of \$1,224, nor applied for renewal or surrender of the License. The issue was transferred to the Legal Section.

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 2-6 and 3-5 of the Act and Sections 1050.410, 1050.430, 1050.1010, 1050.1020, 1050.1110, 1050.1120, 1050.1230, 1050.1305, 1050.1350 and 1050.2120 of the Rules; and is in further violation of Sections 4-5(i) (11), (13), and (17) of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the license of VICTORIA MORTGAGE CORPORATION OF ILLINOIS, License No. MB.0004368 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 16TH DAY OF MARCH, 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.*].