

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

IN THE MATTER OF:)
)
) No. 2010-MBR-26-b
RESIDENTIAL PLUS MORTGAGE CORPORATION,)
KARMEL KIFARKIS & GREGORY PUSCH)
2700 River Road, Suite 300)
Des Plaines, IL 60018)

CONSENT ORDER

The Illinois Department of Financial and Professional Regulation, Division of Banking (“Department”) and Residential Plus Mortgage Corporation (“Residential Plus;” Illinois Residential Mortgage License No. MB.0006264)), Karmel Kifarkis (“Kifarkis;” Illinois Mortgage Loan Originator License No. 031.0001884) and Gregory Pusch (“Pusch;” Illinois Mortgage Loan Originator License No. 031.0000697) hereby enter into this Consent Order (“Consent Order”) and stipulate and agree to the following pursuant to the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated thereafter (“Rules”) [38 Ill. Adm. Code 1050] :

STIPULATIONS AND ADMISSIONS

The respondent Department and petitioners Residential Plus, Kifarkis, and Pusch (or collectively, “Petitioners”) stipulate that the Department conducted a review and investigation resulting in issuance of Orders No. 2010-MBR-26, 2010-MBR-31, 2010-LO-14 and 2010-LO-15 (collectively “Orders”). Petitioners filed a timely request for hearing of the Orders and administrative proceedings commenced between the Department and Petitioners. The Department and Petitioners now desire to resolve this matter through this Consent Order. The Department and Petitioners stipulate that many of the violations cited in the Orders are in connection with Jeremy Clement (“Clement”) who engaged in improper loan originator activities. It is further stipulated that there was inadequate company supervision,

recordkeeping and improper use of registered loan originator credentials. Clement has been separately cited by the Department in Order 2010-LO-CD-05.

TERMS AND CONDITIONS

WHEREFORE, the Department and Petitioners agree as follows:

- I. Petitioners agree to withdraw their hearing requests on the Orders and to pay the Department a reduced fine and agree to further revised discipline as hereinafter and to correct their practices as cited in the Orders. Department assesses and Petitioners agree as follows: Residential Plus shall pay the Department a total of seven thousand dollars (\$7,000), Kifarkis shall pay the Department five thousand dollars (\$5,000) and is placed on thirty (30) day disciplinary probation, and Pusch shall pay the Department five thousand dollars (\$5,000) and is placed on thirty (30) day disciplinary probation. Said fines are due and payable to the Department on or before July 15, 2011 in certified funds. Terms of Probation shall be take effect commencing with the effective date of this Consent Order. The Department shall post the Consent Order on the Department's website and provide notices linking the Orders to the Consent Order such that the public is advised of the final disposition of the Orders.
- II. The Department agrees to rescind all original fines and individual suspensions assessed in the Orders upon the Petitioners complying with this Consent Order including Section I above. In the event that Petitioners do not comply with this Consent Order including Section I above, then the Orders shall stand including the original fines and disciplines.
- III. Petitioners agree to not file any petition for hearing and administrative review, or judicial review, of this Consent Order. Petitioners acknowledge that they have been represented by legal counsel in negotiating this Consent Order, and that they willingly enter into this Consent Order after full review, evaluation, and consideration and with full knowledge of their rights under the Act, and Illinois Administrative Procedure Act.

- IV. The Department enters into the Consent Order for the purpose of imposing measures that are fair and equitable in the circumstances and that are consistent with the best interests of the people of the State of Illinois.
- V. The Consent Order shall become effective upon all the parties hereinafter designated signing and dating the Consent Order and on the date that the last of those designated for the Department sign and date the Consent Order.

The foregoing Consent Order is approved in full.

_____ date: _____
Kelly Zoudo, Residential Plus Mortgage Corporation

_____ date: _____
Karmel Kifarkis

_____ date: _____
Gregory Pusch

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

_____ date: **OCTOBER 6, 2011**
MANUEL FLORES, DIRECTOR