

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:	)	
	)	No. 2011-MBR-CD8
<b>ATLAS PREFERRED MORTGAGE, LLC</b>	)	
License No. MB.6760306 (Revoked)	)	
Attention: Jeffery Townsend	)	
7170 W. Grand Ave., Suite 1W	)	
Chicago, IL 60707	)	

**ORDER TO CEASE AND DESIST & ASSESSING FINE**

The Illinois Department of Financial and Professional Regulation, Division of Banking (“Department”) hereby issues to Atlas Preferred Mortgage, LLC (“Atlas”) this ORDER TO CEASE AND DESIST & ASSESSING FINE (“Order”). This Order is authorized by and issued pursuant to the provisions of Sections 1-3(d-1) & (e) and 4-1 (h-1) of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated thereunder (“Rules”) [38 Ill. Adm. Code 1050].

**FINDINGS OF FACT**

The Department makes the following Findings of Fact:

1. That on March 8, 2010, the Department issued Orders No. 2010-MBR-09 (“Order”) revoking Atlas’ Illinois residential mortgage license number MB.6760306 (“License”) and No. 2010-LO-21 revoking Jeffery Townsend’s (“Townsend”) Loan Originator Certificate of Registration number 031.0009377 due to Atlas’ and Townsend’s involvement in fraudulent mortgage activities as cited therein;
2. That Atlas and Townsend did not request an administrative hearing on the aforementioned orders and the licenses were revoked as final orders. The Department also fined Atlas and Townsend in the aforementioned orders in the amounts of \$100,000 and \$20,000 respectively. Atlas and Townsend have failed to submit any payment for their fines to the Department. On November 3, 2010, the Department received a \$20,000 surety bond claim payment for Atlas, but a combined \$100,000 in fines from Atlas and Townsend remain due and owing to the Department;
3. That on December 13, 2010, the Department through the Division of Professional Regulation – Real Estate Investigations became aware of a complaint that a buyer was having difficulty in getting a sales transaction completed through Atlas and Townsend.
4. That the Department opened an investigation of unlicensed practice by Atlas and Townsend and conducted interviews of the complainant, real estate and mortgage licensees connected to the complaint, and Townsend as well as collecting documentation all showing that Atlas and Townsend engaged in unlicensed activities after revocation of their licenses. The documentation included a pre-approval letter for the complainants’ residential mortgage loan from Townsend

dated 4/6/2010, real estate offer and acceptance and Loan Status Disclosure forms listing Atlas and Townsend and a pre-Qualification Certificate from Townsend all on or around 9/10/2010. Some of these documents were falsely attributed by Townsend to another actively licensed mortgage company which Townsend sought employment in March 2010 and another Atlas loan originator familiar to Townsend;

5. That in January 2011, the Department closed said investigation with findings in the Report of Investigation (ROI) of violations of the Act and Rules by Atlas and Townsend for unlicensed practices after revocation of their licenses and the Department has reasonable cause to believe that an unsafe, unsound, or unlawful practice has occurred, is occurring, or is about to occur as to Atlas, and that Atlas has committed a business offense.

### **CONCLUSIONS OF LAW**

Based on the Findings of Fact, the Department makes the following Conclusions of Law:

Atlas has violated Sections 1-3(a), (d-1), & (e), and 4-1(h-1) of the Act and Section 1050.310(a) of the Rules by engaging in activities requiring an Illinois residential mortgage license after revocation of its License, and Sections 2-4(z), 7-1, and 7-1A of the Act by providing said services through unregistered or unlicensed mortgage loan originators.

### **NOW THEREFORE IT IS HEREBY ORDERED:**

Atlas, by and through its owners, managers, officers, directors, employees, and agents, shall immediately cease and desist engaging in any licensable activities under the Act and Rules, and shall be assessed and pay a fine in the amount of \$25,000 within thirty (30) days from the effective date of this Order by certified check or money order payable to the Department at 320 W. Washington Street, Springfield, IL 62786.

ORDERED THIS 8<sup>TH</sup> DAY OF APRIL, 2011

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

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MANUEL FLORES, 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 and \$500 hearing fee (certified check/money order) shall be filed at 320 W. Washington Street, Springfield, IL 62786, within 10 days after the receipt of an administrative decision. The request for hearing must include an explicit admission, denial or appropriate response to each allegation or issue contained in the administrative decision pursuant to 38 Ill. Adm. Code 1050.1570. 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.*].**