

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2011-MBR-CD9
Sentrix Financial Services, Inc.)
5353 North Federal Highway, Suite 204)
Ft. Lauderdale, FL 33308)

ORDER ISSUING CEASE & DESIST WITH FINE & DENYING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), for among other things cited hereinafter, having investigated a complaint against Sentrix Financial Services, Inc. (“Sentrix Financial Services”) for advertising residential mortgage activities as being available from Sentrix Financial Services within the State of Illinois while Sentrix Financial Services had a license application only pending with the Department, hereby issues this ORDER to Sentrix Financial Services to cease and desist from any said advertising activities, to pay a fine for said violations, and denying and refusing to issue said applied-for license by authority of Sections 1-3(d-1) & (e), 2-2, 2-5, and 4-1(h-1) of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635]. The Department makes the following:

FINDINGS

1. That Sentrix Financial Services initially applied to the Department for an Illinois residential mortgage license in June, 2010; however, Sentrix Financial Services continued to submit required items to complete the application with the most recent surety bond documentation received by the Department on January 24, 2011;
2. That during the course of completing its license application, the Department received on or around October 18, 2010 an anonymous complaint that Sentrix Financial Services was soliciting persons for improper net branching employment opportunities. The complaint included a copy of the solicitation letter used by Sentrix Financial Services;
3. That on November 16, 2010, the Department opened an investigation into said anonymous complaint and the assigned investigator (“Investigator”) conducted a search of Sentrix Financial Services’ website (www.sentrixmortgage.com) and found that Sentrix Financial Services was already advertising that Sentrix Financial Services was currently licensed in the State of Illinois even though the Department had at no time issued Sentrix Financial Services an Illinois residential mortgage license and such license was in an applied for status. Further the Investigator identified numerous references on Sentrix Financial Services’ website suggesting the potential for future violations by Sentrix Financial Services of additional full service office requirements under the Act;

4. That on November 16, 2010, the Investigator contacted Sentrix Financial Services Account Executive & Licensing Officer advising of the complaint received and that based upon review of the solicitation letter and aforementioned website that Sentrix Financial Services was in violation of the Act and the rules promulgated thereunder (“Rules”) [38 Ill. Adm. Code 1050] for advertising that it was a mortgage broker licensed in Illinois. The Investigator further advised and that it appeared that Sentrix Financial Services intended to operate affiliate net branches in Illinois which would not be in compliance with the operations of additional full-service offices as required by the Act;
5. That thereafter the Department’s Investigations Section filed its final investigative report and referred the matter to the Department’s Legal Section for enforcement against Sentrix Financial Services for violations of necessity of a license and advertising prohibitions;
6. That the Department has now reviewed the completed licensing application file and the investigatory file and finds that Sentrix Financial Services has committed violations of the Act and Rules and a business offense by engaging in said unlicensed advertising activities, and that Sentrix Financial Services, by so conducting itself in this manner and through the aforementioned solicitations, prevent the Department from issuing positive findings that Sentrix Financial Services possesses the character and general fitness and commands the confidence of the community for a residential mortgage license as required by Act Sections 2-2 & 2-5. Although Sentrix Financial Services has made a correction to its advertising, the Department has been given reasonable cause that an unsafe, unsound, or unlawful practice has occurred and may again occur with respect to Sentrix Financial Services pursuant to Act Sections 1-3(d-1) & 4-1(h-1).

CONCLUSIONS

BASED UPON THE ABOVE FINDINGS, THE DEPARTMENT IS OF THE OPINION AND CONCLUDES:

Sentrix Financial Services has violated Act Sections 1-3(a), (d-1), & (e), and 4-1(h-1), and Rules Section 1050.910 by improperly advertising without an Illinois residential mortgage license and has failed to meet the standards for licensure in Sections 2-2 and 2-5 of the Act.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the Department, issues a cease and desist to Sentrix Financial Services from any advertising of licensable activities pursuant to the Act and Rules, issues a fine to Sentrix Financial Services in the amount of \$5,000 for said unlicensed advertising violations, and denies Sentrix Financial Services’ license application and refuses to issue a license to Sentrix Financial Services. The fine so assessed shall be payable in certified funds to the Department at 320 W. Washington Street, 6th Floor, Springfield, IL 62786 within 30 days of the effective date of this Order.

ORDERED THIS 8TH DAY OF APRIL, 2011

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

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 by certified check or money order shall be filed with the Department at 320 West Washington Street, 6th Floor, 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.*].