

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

IN THE MATTER OF: )  
 ) No. 2024-MBR-04-b  
**NEXA MORTGAGE, LLC** )  
License No. MB.6761446; NMLS ID 1660690 )  
Attention: Michael Kortas )  
3100 W Ray Road Suite 201, Office # 209 )  
Chandler, AZ 85226 )  
 )

**CONSENT ORDER**

THE DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF BANKING (“Department”) and **NEXA MORTGAGE, LLC** (“NEXA”), hereby enter into this Consent Order pursuant to the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated under the Act (the “Rules”) [38 Ill. Adm. Code 1050] and stipulate and agree to the following:

**STIPULATIONS & AGREEMENT**

The Department and NEXA stipulate that the Department, pursuant to its authority under the Act and Rules, issued Order No. 2024-MBR-04, entitled “Order Suspending License and Assessing Fine,” on July 16, 2024 (“Order”) which alleged, in part, that NEXA failed to submit numerous required examination materials and that unlicensed branch offices were discovered through an investigation. NEXA made a timely request for an administrative hearing of the Order. The Department and NEXA are currently in administrative proceedings with no final determination. The Department and NEXA now intend to resolve this matter through this Consent Order and to provide guidelines to ensure that NEXA will come into and remain in

compliance. By entering into this Consent Order, NEXA does not admit to the allegations in the Order other than those facts deemed necessary to evidence the authority of the Department.

### **TERMS AND CONDITIONS**

WHEREFORE, the Department and the NEXA agree as follows:

- I. NEXA'S Illinois Residential Mortgage License No. MB.6761446 (NMLS ID 1660690) is placed upon Probation pursuant to Section 4-5(h)(3) of the Act for a period of 36 months from the Effective Date of this Consent Order ("Probationary Period"). The terms of Probation are as follows:
  - a. All owners, control persons, and Illinois branch managers identified by NEXA within ten (10) business days of this Consent Order<sup>1</sup> must successfully complete at least 15 hours of continuing education that focuses on achieving and maintaining compliance as an Illinois Residential Mortgage Licensee within six months of the Effective Date or, for new future control persons identified to the Department during the Probationary Period within ten (10) business days of hire and Illinois branch managers during the Probationary Period, six months after the person's start date.
  - b. Since the issuance of the Order, NEXA has provided numerous responsive documents and information to demonstrate its intention to come into compliance with the Act and Rules ("Responsive Documents"). NEXA represented through the Responsive Documents that it has made personnel changes, including hiring a Compliance Manager and multiple Compliance Analyst Positions. Additionally, a corrective action plan was provided that detailed NEXA'S implementation of a quality review process, a new record

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<sup>1</sup> Owners and control persons do not include dissociated owners.

retention policy, and other policies to help ensure compliance. Additionally, NEXA has transitioned its branch licensing process in-house with the hiring of a Licensing Team. These and other policies were implemented to ensure branch offices are properly licensed and in compliance with the Act and Rules. NEXA agrees to adhere to its corrective action plans as described in the Responsive Documents with input from the Department.

- c. NEXA agrees to apply for a license for each branch location prior to conducting business, originating loans, or issuing solicitations for mortgage loan origination or servicing.
- d. NEXA must complete all required reporting by the deadlines set by the Act and Rules, and all such reports must be accurate. If NEXA cannot meet a reporting deadline for reasons beyond its control, it must contact the Department at least fifteen business days prior to the due date. The Department's determination of whether any delay may be excused is final.
- e. During the Probationary Period, the Department may conduct periodic, limited scope, examinations to ensure that NEXA is in compliance with the Act and Rules, Article 3 of the Residential Real Property Disclosure Act [765 ILCS 77/70, et seq.], and the High Risk Home Loan Act [815 ILCS 137/]. The cost of these limited scope examinations will be borne solely by NEXA. All requests for documentation or information made by the Department must be responded to promptly, in an organized manner. This includes clearly labeling the responsive documents and submitting them through the method specified by the Department, whether through the Nationwide Multistate Licensing System and Registry ("NMLS") or directly

to the Department.

- f. During the Probationary Period, the Department may conduct a targeted investigation of NEXA's branch locations to ensure it opens and maintains these branch locations in accordance with the Act and Rules.
  - g. The Department will also conduct its statutorily required examinations under the Act and Rules. All requests for documentation or information made by the Department must be responded to promptly, in an organized manner. This includes clearly labeling the responsive documents and submitting them through the method specified by the Department, whether through NMLS or directly to the Department.
  - h. During the Probationary Period: every six months, NEXA will provide five sample loan files to the Department to review for compliance with the Act and Rules. Said sample files will comprise loans originated during the preceding six months. The Department will notify NEXA of any instances of non-compliance identified in the selected files and allow such to be corrected by NEXA within 14 days of notification.
  - i. NEXA must provide to the Department any consumer complaint received and resolution within 30 days from the receipt of the complaint.
  - j. If after a period of 18 months from the Effective Date of this Consent Order, the Department determines, in its sole discretion, that NEXA is operating in a safe, sound, and lawful manner, the Department may terminate the Probationary Period.
- II. NEXA agrees to pay a fine to the Department pursuant to Section 4-5(h)(5) of the Act, in the amount of \$100,000. The Fine shall be paid within 14 days of the

Effective Date of this Consent Order.

- III. In the event NEXA fails to pay the Fine, NEXA'S license will be immediately suspended. If NEXA fails to comply with any of the corrective action measures specified in this Consent Order, NEXA will receive notice in writing, which may be made by electronic mail address for the Primary Contact listed in the NMLS. Upon receiving written notice from the Department, NEXA will have ten (10) business days to cure the deficient corrective action measure or measures. If the deficient corrective action measure is not cured within ten (10) business days, NEXA'S license will be immediately suspended, without a hearing, until the Department determines NEXA is in compliance.
- IV. This Consent Order constitutes a full, final, and complete resolution of the allegations that the Department has asserted, or might have asserted, based on the alleged practices described in the Order ("Practices"), to the extent such Practices existed prior to the Effective Date and the Department has knowledge of the Practices as of the Effective Date.
- V. By executing this Consent Order, NEXA agrees to not file any petition for administrative or judicial hearing of this Consent Order, or seek any further administrative hearing or judicial review of, or in connection with the Order, except in any proceeding by the Department to enforce compliance with the terms of this Consent Order. The Department has the right to prosecute any matter that is not addressed in the Consent Order. NEXA acknowledges that it was represented by legal counsel in negotiating this Consent Order, and that it willingly enters into this Consent Order after full review, evaluation, and consideration and with full knowledge of its rights under the Act, the Rules, the rules on Hearings Before the

Division of Banking and Division of Financial Institutions [38 Ill. Adm. Code 100],  
and the Illinois Administrative Procedure Act [5 ILCS 100].

- VI. The Department enters into this Consent Order for the purpose of imposing measures that are fair and equitable under the circumstances and that are consistent with the best interests of the People of the State of Illinois.
- VII. This Consent Order shall become effective upon the signatories below 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 "Effective Date").

The foregoing Consent Order is approved in full.

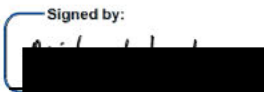
ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
DIVISION OF BANKING



Date: 3/10/2025

SUSANA SORIANO  
ACTING DIRECTOR

NEXA Mortgage, LLC

Signed by:  


Date: 3/7/2025

Michael Kortas, its Chief Executive Officer