

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

IN THE MATTER OF:)
) No: 2009-LO-15
MARTIN ENCISO)
362 Whitewater Lane)
Oswego, Illinois 60543)

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the “Department”), having conducted an investigation of the facts related to registered Loan Originator Martin Enciso, (the “Registrant”), 362 Whitewater Lane, Oswego, Illinois 60543, and having found that the Registrant has committed violations cited herein of the Residential Mortgage License Act of 1987 (the “Act”) [205 ILCS 635], and of the rules promulgated under the Act (the “Rules”) [38 Ill. Adm. Code 1050], hereby issues this Order Assessing Fine pursuant to the authority provided under Section 7-1 of the Act and Section 1050.2170 of the Rules. The Department makes the following:

FINDINGS

1. That Registrant holds an expired Illinois Loan Originator registration number 031.0015068 and has the address of 362 Whitewater Lane, Oswego, Illinois 60543;
2. That Registrant was working under the Illinois residential mortgage license of Dynamic Capital Lending Corp. (License No. MB. 6760424; hereinafter “Dynamic”) for all purposes of this Order;
3. That Registrant was prohibited from originating loans for Dynamic because his registration number expired on July 1, 2008, and because he was not sponsored by any licensed mortgage broker;
4. That the Department was notified via an anonymous complaint letter alleging that Registrant and Ricardo Reyes (“Reyes”), Illinois Loan Originator registration number 031.0013052, were originating loans using Roberto Delgado’s (“Delgado”), the owner of Dynamic, name and registration number 031.0017082, in order to close loans in Illinois; and
5. That Registrant knowingly used a name and registration number belonging to another loan originator because Registrant was viewed as unqualified to

originate loans because his license had expired. Registrant's actions were a misrepresentation to the consumers and lenders Registrant worked with and also constitutes dishonest dealings in violation of the Act and the Rules.

CONCLUSIONS

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

Registrant's activities warrant a fine pursuant to Rule Sections 1050.2165 (b) (c) and (e).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Martin Enciso shall be and hereby is assessed a fine of \$1,000 for violating the Act and Rules cited herein pursuant to Rule section 1050.2170(a)(2);
2. The total fine in the amount of \$1,000 shall be due thirty (30) days after the effective date of this Order; and
3. The fee in the amount of \$1,000 shall be paid by means of a certified check or money order made payable to the:

**Department of Financial and Professional Regulation
Division of Banking
ATTN: Loan Originator Section
500 E. Monroe, Suite 900
Springfield, Illinois, 62701**

ORDERED THIS ____ DAY OF _____, 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. You have the opportunity to request a hearing regarding this matter for a fee of \$250 plus the transcript fee pursuant to 38 Ill. Adm. Code 1050.2175. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision. A hearing shall be held by the Department of Financial and Professional Regulation, Division of Banking on the administrative decision. Absent a request for a hearing, this Order shall constitute a final administrative decision subject to the Administrative Review Law [735 ICLS 5/3-101 *et seq.*]

State of Illinois (
 (ss:
 County of Cook (

The undersigned, being duly sworn on oath, states that on ____/____/____, I mailed with sufficient postage affixed, a copy of the foregoing **ORDER ASSESSING FINE** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Registrant's Licensee registered with IDFPR Division of Banking listed below:

MARTIN ENCISO
362 Whitewater Lane
Oswego, Illinois 60543

AFFIANT

Subscribed and sworn to before me,
this ____ day of _____, 2009

NOTARY PUBLIC
