

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

IN THE MATTER OF:)
)
) No: 2009-LO-CD-25
GLEN HAYHURST)
Four City Place Drive)
400)
St. Louis, MO 63141)

CEASE AND DESIST ORDER WITH A FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the “Department”), having conducted an investigation of the facts related to Glen Hayhurst, (the “Respondent”), Four City Place Drive, # 400, St. Louis, MO 63141, and having found that the Respondent 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 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:

FINDINGS

1. That Respondent was owner of Strategic Lending an unlicensed mortgage broker and was never registered in Illinois as a loan originator.
2. That the Department became aware of a complaint against Superior Home Loans, LLC (License No. MB. 0006048, “Superior”), for engaging in co-brokering of Illinois residential mortgage loans. Attached to the complaint was a copy of an email co-brokering solicitation sent by Mark Dill (the “Dill email”) working for Superior to numerous licensees and unlicensed entities and both registered and unregistered loan originators;
3. That the Dill email specifically detailed how the co-brokering would work. The instructions included the following: the prepared loan documents should be sent to Superior and in turn Superior would submit the loan documents to the lender; RESPA should be under the name Superior and Joshua Phelps should be listed as the loan originator; and that there will be further instruction how to handle loan stipulations involving contact with the borrower. The Dill email implied that the purpose of the co-brokering was to protect their licenses and wanted the activities to begin effective January 14, 2008;

4. That Respondent furthered the scheme by originating two loans and listing Joshua Phelps as the loan originator on the application that he himself originated and submitted to Superior; and
5. That Respondent knowingly used a name and registration number belonging to a loan originator because Respondent was viewed as unqualified to originate loans since he was never registered as a loan originator. Respondent's actions were in violation of the Act and the Rules.

CONCLUSIONS

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

Respondent's activities warrant a cease and desist with a fine pursuant to Section 7-1 of the Act and Section 1050.2170 of the Rules

ORDER

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Glen Hayhurst shall cease and desist from all loan originating and solicitation activities;
2. That Glen Hayhurst shall be and hereby is assessed a fine of \$2,500 for violating the Act and Rules cited herein pursuant to Rule section 1050.2170(a)(2);
3. The total fine in the amount of \$2,500 shall be due thirty (30) days after the effective date of this Order; and
4. The fee in the amount of \$2,500 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
320 W. Washington
Springfield, Illinois, 62786**

ORDERED THIS ____ DAY OF _____, 2009

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
BRENT E. ADAMS, 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 **CEASE AND DESIST ORDER WITH A FINE** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Respondent's Licensee registered with IDFPR Division of Banking listed below:

GLEN HAYHURST
Four City Place Drive
400
St. Louis, MO 63141

AFFIANT

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

NOTARY PUBLIC
