

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:

JULIAN MENDOZA

Century 21 Golden Partners

5392 Galloway Drive

Hoffman Estates, Illinois 60192

)

)

)

)

)

)

)

No. 2010-LO-CD-06

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 unregistered Loan Originator Julian Mendoza, (the “Respondent”), Century 21 Golden Partners, 5392 Galloway Drive, Hoffman Estates, Illinois 60192, 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 held Provisional Illinois Loan Originator Registration No. 030.0032669 which expired on June 30, 2005 and has the last known address of Century 21 Golden Partners, 5392 Galloway Drive, Hoffman Estates, Illinois 60192;
2. That Respondent never applied for or was issued a permanent Illinois Loan Originator Registration Number but was working for Universal Mortgage Services, LLC (License No. MB.6759670; “Licensee”) for all purposes of this Order;
3. That on March 11, 2010, the Department received a complaint from a lender alleging that the Licensee had submitted two residential mortgage loans containing altered bank statements;
4. That the Department’s Investigator (“Investigator”) opened an investigation and based upon interviews with Universal’s officers and employees and borrowers, a review of Universal’s loan logs and files, and other evidence collected during this investigation and recorded in the Report of Investigation (the “ROI”);

5. That the Investigator found that Respondent originated the loan for B.O. & S.O. but that the name and registration number of registered loan originator Patricia Vargas (“Vargas”) was used to ensure the loan would be funded;
6. That through the investigation it was found that the loan for B.O. & S.O. submitted to the lender contained fraudulent/altered bank statements and verifying the facts of the lender’s complaint on March 11, 2010; and
7. That Respondent, unqualified to perform loan originator activities, knowingly used a name and registration number belonging to another loan originator to submit fraudulent information to a Lender to their detriment and that his misrepresentations and dishonest dealings were in violations 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 Julian Mendoza shall cease and desist from all loan originating and solicitation activities;
2. That Julian Mendoza shall be and hereby is assessed a fine of \$20,000 or violating the Act and Rules cited herein pursuant to Rules section 1050.2170(a)(2);
3. The total fine in the amount of \$20,000 shall be due thirty (30) days after the effective date of this Order; and
4. The fine in the amount of \$20,000 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
320 W. Washington
Springfield, Illinois, 62786**

ORDERED THIS ____ DAY OF _____, 2010

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:

JULIAN MENDOZA
Century 21 Golden Partners
5392 Galloway Drive
Hoffman Estates, Illinois 60192

AFFIANT

Subscribed and sworn to before me,
this ____ day of _____, 2010

NOTARY PUBLIC
