



5. Rule No. 3 of the NMLS Rules of Conduct states, “I must not receive or attempt to receive any form of assistance during the test or restroom breaks.” Rule No. 10 of the NMLS Rules of Conduct states: “I must not engage in any conduct that would be contrary to good character or reputation, or engage in any behavior that would cause the public to believe that I would not operate in the mortgage loan business lawfully, honestly or fairly.”
6. The Mortgage Testing and Education Board (“MTEB”), acting on behalf of the State Regulatory Registry, LLC and the NMLS, is responsible for the oversight of SAFE required testing.
7. On June 28, 2012, the MTEB received a report filed by the Test Center Administrator of the Prometric Test Center located in Anaheim, California that alleged that JIMENEZ violated the NMLS Rules of Conduct by using unauthorized study materials during the test session including laminated notes.
8. A review committee consisting of three members of the MTEB (“Review Committee”) conducted a full investigation of JIMENEZ’S alleged violations of the NMLS Rules of Conduct and also provided notice and opportunity for JIMENEZ to respond to the allegations.
9. That on August 28, 2012, the Review Committee determined that JIMENEZ violated Rule No. 3 and 10 of the NMLS Rules of Conduct when he brought unauthorized study materials into his test session and used them repeatedly.
10. JIMENEZ appealed the Review Committee’s findings.
11. The Appeals Committee conducted the appeal and affirmed on October 8, 2012 the determination of the Review Committee.

### **LEGAL CONCLUSIONS**

12. Based on JIMENEZ’S activity of accessing hidden study materials in the test center bathroom during the Massachusetts State Component SAFE Test, the Department finds that JIMENEZ has not demonstrated the character and general fitness to be licensed as a Mortgage Loan Originator pursuant to section 7-3(3) of the Act.

**NOW IT IS HEREBY ORDERED THAT,**

The Department **DENIES** MAGNO JIMENEZ'S application for a Mortgage Loan Originator License, pursuant to section 7-3 of the Act.

ORDERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
MANUEL FLORES, ACTING SECRETARY

DIVISION OF BANKING

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**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 \$250 hearing fee by certified check or money order shall be filed with the Department at 320 West Washington Street, 5<sup>th</sup> Floor, Springfield, IL 62786, ATTN: Loan Originator Section 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.*].**

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 **DENIAL ORDER MORTGAGE LOAN ORIGINATOR LICENSE** by regular and certified mail, return receipt requested at 100 W. Randolph Street, Chicago, Illinois 60601, to the address of Registrant’s Licensee registered with IDFPD Division of Banking listed below:

\_\_\_\_\_  
AFFIANT

Subscribed and sworn to before me,  
this \_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
NOTARY PUBLIC  
\_\_\_\_\_

Magno Jimenez  
469 N. Olive St.  
Orange, CA 92866