

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:

HAMID HAMADANCHY

IL License No. 031.0028700; NMLS ID No. 221322)

11 Celestial

Irvine, CA 92603

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No. 2014-MLO-01

ORDER ASSESSING FINE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), having conducted an investigation of HAMID HAMADANCHY (“HAMADANCHY”), 11 Celestial, Irvine, California 92603, in connection with his residential mortgage activities with Eastland Financial Corporation (“Licensee”), and found violations of the Residential Mortgage License Act of 1987 (“Act”) hereby issues this ORDER ASSESSING FINE.

STATUTORY PROVISIONS

1. Section 1-4(jj) of the Act defines the “mortgage loan originator” (“MLO”) as an individual who for compensation or gain or in the expectation of compensation or gain (i) takes a residential mortgage loan application, or (ii) offers or negotiates terms of a residential mortgage loan. Included in the definition are individuals who participate in residential mortgage loan modification activities.
2. Section 7-1A of the Act states, in part, it is unlawful for any individual to act or assume to act as a mortgage loan originator, as defined in subsection (jj) of Section 1-4 of the Act, without obtaining a license from the Department.
3. Section 7-11 of the Act authorizes the Department to revoke and/or fine, or otherwise discipline, the license of a MLO if the Secretary finds that the MLO has violated this Act or any other applicable law or regulation. A maximum fine is authorized of \$1,000 for each day for each violation of this Act.
4. Section 7-13 of the Act provides a list of prohibited acts and practices for MLOs, including engaging in any unfair or deceptive practice and failing to make disclosures as required by the Act. MLOs are prohibited from violating any rules and regulations. MLOs are prohibited from making any false or deceptive statement or representations of a material fact or an omission of material fact, required on any document or application subject to this Act. MLOs are also prohibited from negligently make any false statement or knowingly and willfully make any omission of a material fact in connection with any report filed with a governmental agency.

5. Section 7-14 of the Act provides, in part, that the unique identifier of any person originating a residential mortgage loan shall be clearly shown on all residential mortgage loan application forms.

FACTUAL FINDINGS

6. HAMADANCHY holds active MLO License No. 031.0028700.
7. On July 23, 2012, the Department opened an investigation of Eastland Financial Corporation.
8. The Department's investigation found that HAMADANCHY affixed his name and/or signature or allowed to have his name affixed to 27 loan applications as having originated those loans, when HAMADANCHY knew that he did not originate those loans.

LEGAL CONCLUSIONS

BASED UPON THE ABOVE ALLEGATIONS, THE DEPARTMENT FINDS:

9. HAMADANCHY is in violation of Sections 7-13(2), (7), (8), (9) & (10) of the Act.

NOW IT IS HEREBY ORDERED THAT:

1. The Department assesses a FINE against HAMADANCHY in the amount of \$27,000 (\$1,000 per loan) pursuant to Section 7-11 of the Act. The fine is payable by certified check or money order within thirty (30) days of the effective date of this Order to the:

**Department of Financial and Professional Regulation
Division of Banking
ATTN: Loan Originator Section
320 W. Washington, 5th Floor
Springfield, Illinois, 62786.**

ORDERED THIS ____ DAY OF _____, 2014

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

DIVISION OF BANKING

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, 5th 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 **ORDER ASSESSING FINE** by regular and certified mail, return receipt requested at 100 W. Randolph St., Chicago, Illinois 60601, to the address of Respondent registered with IDFPR Division of Banking listed below:

AFFIANT

Subscribed and sworn to before me,

this ____ day of _____, 2014

NOTARY PUBLIC

Sent to:

HAMID HAMADANCHY
11 Celestial
Irvine, CA 92603