

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:

ARIEL REYES
2841 N. Pulaski
Chicago, Illinois 60641

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) No. 2014-MLO-CD-01
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**ORDER TO CEASE AND DESIST FROM UNLAWFUL
RESIDENTIAL MORTGAGE ACTIVITIES AND ASSESSING FINE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), having conducted an investigation of ARIEL REYES (“REYES”), 2841 N. Pulaski, Chicago, Illinois 60641 in connection with his residential mortgage activities with Nova Home Loans (“Nova”, MB.6760764), 6245 E. Broadway Blvd., Suite 400, Tucson, AZ 85711 and found violations of the Residential Mortgage License Act of 1987 (“Act”) hereby issues this ORDER TO CEASE AND DESIST FROM UNLAWFUL RESIDENTIAL MORTGAGE ACTIVITY AND ASSESSING FINE.

STATUTORY PROVISIONS

1. Section 1-4(jj) of the Act defines the “mortgage loan originator” 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 Secretary to issue a cease and desist order to compel the mortgage loan originator to comply with this Act or any other applicable law. A maximum fine is authorized of \$1,000 for each day for each violation of this Act or other applicable law or regulation that is committed, and may be double for repeat violations.
4. Section 7-13 of the Act provides a list of prohibited acts and practices for mortgage loan originators, including conducting any business covered by this Act without holding a valid license as required under this Act, MLOs are prohibited from violating any rules and regulations and engaging in conduct that constitutes dishonest dealings.

FACTUAL FINDINGS

5. REYES was never licensed as a Mortgage Loan Originator.
6. On or about September 19, 2013 the Department, through a related investigation, found that Nova was involved in unlicensed activities.
7. The investigation found that REYES, through Nova, took the loan application of consumer H.R. without a license.

LEGAL CONCLUSIONS

BASED UPON THE ABOVE ALLEGATIONS, THE DEPARTMENT FINDS:

8. REYES is in violation of Sections 7-13(6), (8) & (15) of the Act.

NOW IT IS HEREBY ORDERED THAT:

1. REYES shall **CEASE AND DESIST** from engaging in mortgage loan originating activities in the State of Illinois pursuant to Section 7-11(c) of the Act.
2. REYES shall pay a **FINE** in the amount of \$1,000 as authorized under 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 TO CEASE AND DESIST FROM UNLAWFUL RESIDENTIAL MORTGAGE ACTIVITIES AND 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:

ARIEL REYES
2841 N. Pulaski
Chicago, Illinois 60641