

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

IN THE MATTER OF:	)	
	)	No. 2018-MLO-CD-1
<b>FRED WEBER</b>	)	
DIAMOND RESIDENTIAL MORTGAGE CORPORATION	)	
License No. MB.6760694; NMLS ID 186805	)	
582 Oakwood Avenue	)	
Lake Forest, IL 60045	)	

**ORDER TO CEASE AND DESIST FROM UNLAWFUL  
RESIDENTIAL MORTGAGE ACTIVITIES**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF BANKING, (“Department”) having reviewed the activities of **FRED WEBER** (“Weber”), in connection with Diamond Residential Mortgage Corporation (“Diamond Residential”) and finds violations of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated thereunder (“Rules”) [38 Ill. Adm. Code 1050], hereby issues this **ORDER TO CEASE AND DESIST FROM UNLAWFUL RESIDENTIAL MORTGAGE ACTIVITIES**.

**STATUTORY PROVISIONS**

1. Section 1-3(a) of the Act states in relevant part: No person, partnership, association, corporation or other entity shall engage in the business of brokering, funding, originating, servicing or purchasing of residential mortgage loans without first obtaining a license from the Secretary in accordance with the licensing procedure provided in this Article I and such regulations as may be promulgated by the Secretary.
2. Section 1-3(b) of the Act provides that no person, partnership, association, corporation, or other entity except a licensee under the Act or an entity exempt from licensure shall do any business under any name title, or circulate or use any advertising or make any representation nor give any information to any person, which indicates or reasonably implies activity within the scope of the Act.
3. Section 1-3(d-1) of the Act provides that the Secretary may issue orders against any person if the Secretary has reasonable cause to believe that an unsafe, unsound, or unlawful practice has occurred, is occurring, or is about to occur, if any person has violated, is violating, or is about to violate any law, rule, or written agreement with the

Secretary, or for the purposes of administering the provisions of this Act and any rule adopted in accordance with this Act.

4. Section 7-13(2) & (6) of the Act prohibits certain acts and practices by mortgage loan originators ("MLO") including engaging in any unfair or deceptive practice towards any person and conducting any business covered by this Act without holding a valid license.

### **FACTUAL FINDINGS**

5. Weber does not hold a valid Mortgage Loan Originator ("MLO") License in the state of Illinois.
6. Weber has created a MLO profile in Nationwide Multistate Licensing System ("NMLS") which generates an NMLS unique identifier number ("NMLS No."). The NMLS No. generated for Weber was 1714629. Weber had also completed required pre-education hours.
7. Weber has not submitted an MU4, an application to become an MLO, or taken the required test.
8. At the Diamond Residential branch located at 2921 Greenbriar Drive, but listed in the Department's official licensing records as located at 240 Iles, Suite A, Springfield, Illinois 62704 ("Branch Office;" License No. MB.6760694-003), a business card was clearly visible and available to consumers with Weber's information.
9. The business card included the company name of Diamond Residential, the Branch Office address, the Branch Office phone number and his personal phone number. The card also displayed Weber's photograph, name, and NMLS No. 1714629.

### **LEGAL CONCLUSIONS**

10. WEBER, created business cards and placed them to be viewed and taken by consumers, without a valid MLO license. By having these cards include an NMLS No., he deceptively appeared to be properly licensed to conduct mortgage activities in violation of Sections 1-3(a) & (b), and 7-13(2) & (6) of the Act.

### **NOW IT IS HEREBY ORDERED THAT,**

1. WEBER shall **CEASE AND DESIST** from representing himself as being a licensed loan originator and from engaging in any other licensable or prohibited activities pursuant to Section 1-3(d-1) of the Act.

ORDERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
BRYAN A. SCHNEIDER, SECRETARY

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KERRI A. DOLL, DIRECTOR  
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, 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.*].