

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2018-MLO-01
ROBERT MURRAY)
IL MLO License No. 031.0040717)
NMLS ID 226440)
)

**ORDER SUSPENDING
MORTGAGE LOAN ORIGINATOR LICENSE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), having been notified of Mortgage Loan Originator (“MLO”) **ROBERT MURRAY’S (“MURRAY”)** failed payments made to the Department in violation of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635], hereby issues this order.

STATUTORY PROVISIONS

1. Section 7-3(3) of the Act states that to be licensed the applicant has demonstrated financial responsibility, character, and general fitness so as to command the confidence of the community and to warrant a determination that the MLO will operate honestly, fairly, and efficiently within the purposes of this Act. For purposes of this item (3) a person has shown that he or she is not financially responsible when he or she has shown a disregard for the management of his or her own financial condition.
2. Section 7-11 of the Act authorizes the Department to suspend or take other disciplinary action against an MLO license for violations of the Act or any other applicable law.

FACTUAL FINDINGS

3. MURRAY is an Illinois Mortgage Loan Originator holding License No. 031.0040717 (“License”).
4. MURRAY submitted a payment for his 2018 renewal on February 28, 2018 with his late renewal fee to the Department through the Nationwide Multistate Licensing System (“NMLS”).

5. The Department received a notification from NMLS on March 7, 2018 that MURRAY'S renewal payments failed due to insufficient funds.
6. The Department also received this notification regarding insufficient funds from NMLS on March 8, 2017 when MURRAY applied for his 2017 renewal. He received a deficiency letter through NMLS on March 8, 2017 giving him ten business days to pay the outstanding fees and explaining the potential for disciplinary action being taken.
7. MURRAY did not address the issue until he was blocked from the 2018 renewal.
8. On November 30, 2017, MURRAY paid all his fees from 2017 renewal including late fees and non-sufficient funds ("NSF") fees. The Department removed the block and allowed him to renew for 2017.
9. Upon notice that MURRAY's payment failed again, this time for the 2018 renewal, he received another deficiency letter through NMLS on March 7, 2018 giving him ten business days to pay the outstanding fees and explaining the potential for disciplinary action being taken.
10. MURRAY, as of today, has paid the Department the outstanding 2018 renewal fees. However, the NSF fees have not been paid.

LEGAL CONCLUSIONS

11. MURRAY has a pattern of paying the Department just in time to secure his renewal knowing he has insufficient funds and that the payment would eventually fail. MURRAY's actions do not demonstrate financial responsibility, character, and general fitness so as to command the confidence of the community and to warrant a determination that the MLO will operate honestly, fairly, and efficiently in violation of Section 7-3(3) of the Act.

NOW IT IS HEREBY ORDERED THAT,

- . The Department **SUSPENDS ROBERT MURRAY'S** Mortgage Loan Originator License, MLO license No. 031.0040717 pursuant to 7-11 of the Act until the following payments are made and posted:

- 1) NSF fee \$50 - ACH Failure 2018 Renewal
- 2) NSF fee \$50 - ACH Failure 2018 Renewal late fee

The NSF fees must be mailed to our Springfield office in the form of money order or cashier's check to the below address:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
ATTN: Michele Kearney
DOB-LO SECTION – 5th FL.
320 WEST WASHINGTON STREET
SPRINGFIELD, IL 62786

ORDERED THIS ____ DAY OF _____, 2018

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

KERRI A. DOLL, 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. 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.*].