

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING

2011 FEB -7 PM 1:30

COMMONWEALTH OF PENNSYLVANIA	:	Docket No.: 11 <u>0021</u> ^{PA DEPT OF BANKING} (ENF-ORD)
DEPARTMENT OF BANKING, BUREAU OF	:	
COMPLIANCE, INVESTIGATION AND	:	
LICENSING	:	
	:	
v.	:	
	:	
DONALD HERMAN COHEN	:	

NOTICE OF RIGHT TO APPEAL AND HEARING

You, Donald Herman Cohen, have the right to appeal the attached Order of Prohibition (the "Order") within 10 days of the date of service. See 1 Pa. Code § 35.20. The date of service is the date the Order is deposited in the mail or delivered to you in person, as the case may be, as set forth in 1 Pa. Code § 33.34. If you appeal the Order, you also have a right to a hearing.

To file an appeal and request a hearing on the Order, you must file a petition with the Secretary of Banking within 10 days of the date of service. The petition must be in writing, state clearly and concisely your grounds of interest in the subject matter, the facts you rely upon, the law you rely upon, and the relief you seek. See 1 Pa. Code § 35.17. Please deliver your petition to:

Linnea Freeberg, Docket Clerk
Office of Executive Deputy Secretary
Pennsylvania Department of Banking
17 North Second Street, Suite 1300
Harrisburg, PA 17101

The petition must be received by the Docket Clerk within the aforementioned 10 day deadline. If the Docket Clerk does not receive your petition on time, your right to a hearing will be waived and the Order will be deemed final.

If you choose to file a petition challenging the Order, please send an additional copy to:

Linda Carroll, Deputy Chief Counsel
Office of Chief Counsel
Pennsylvania Department of Banking
17 North Second Street, Suite 1300
Harrisburg, PA 17101

Once you file your petition appealing the Order and requesting a hearing, you will be notified of the hearing date, time, place, the person who will preside at your hearing, and any other pertinent information.

You have the right to be represented by an attorney. Corporations may be required to be represented by an attorney.

The hearing and all other procedural matters will be governed by the Pennsylvania Administrative Agency Law, 2 Pa. C.S. §§ 501-508, 701-704, and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1:-35.251.

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DEPARTMENT OF BANKING

FILED

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING, BUREAU OF
COMPLIANCE, INVESTIGATION AND
LICENSING

Docket No.: 11 002 DEPT. OF BANKING (ENT-ORD)

v.

DONALD HERMAN COHEN

ORDER OF PROHIBITION

WHEREAS, the Department of Banking (the "Department") is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce 7 Pa. C.S. § 6101 *et seq.* (the "Mortgage Licensing Act"); and

WHEREAS, the Bureau of Compliance, Investigation and Licensing (the "Bureau") is primarily responsible for administering and enforcing the Mortgage Licensing Act for the Department; and

WHEREAS, Donald Herman Cohen ("Mr. Cohen") was licensed as a mortgage originator through the Nationwide Mortgage Licensing System and Registry ("NMLSR") with the unique identifier number 130473; and

WHEREAS, Mr. Cohen was employed and sponsored by a mortgage loan correspondent named MoneyLine Lending, LLC ("MoneyLine Lending"), with its primary business location at 2325 Paxton Church Road, Harrisburg, PA 17110; and

WHEREAS, based upon reported by MoneyLine Lending to the Department concerning Mr. Cohen, the Bureau's Compliance Division initiated an investigation; and

WHEREAS, based on its investigation, the Bureau learned that Mr. Cohen, on or about May 26, 2010, simulated the signatures of borrowers' by the surname Pelja on a mortgage loan disclosure document; and

WHEREAS, by simulating the borrowers' signature on a mortgage disclosure document Mr. Cohen engaged a dishonest and unethical practice in the conduct of the mortgage loan business; and

WHEREAS, the Mortgage Licensing Act provides the Department with the authority to suspend or revoke the license of any licensee that engaged in a dishonest or unethical practice in the conduct of the mortgage loan business, 7 Pa. C. S. §6139(a)(3); and

WHEREAS, Section 6138(a)(4) of the Mortgage Licensing Act grants the Department broad authority to issue orders for the enforcement of the Mortgage Licensing Act. 7 Pa. C.S. § 6138(a)(4); and

WHEREAS, the Department has the authority to prohibit or permanently remove a person that violates the Mortgage Licensing Act from working in the mortgage loan business, 7 Pa. C.S. § 6138(a)(5); and

AND NOW, THEREFORE, based upon the foregoing recitals, the Bureau, under the authority cited above, hereby imposes the following order.

Upon the effective date of this Order:

Pursuant to the Department's authority under Section 6138(a)(4), Donald Herman Cohen, as a natural person or as a corporation or as any other form of organization of any kind whatsoever, is hereby prohibited from working in the mortgage loan business as regulated by the Mortgage Licensing Act as a licensee, employee, independent contractor, agent, representative, or in any other capacity of any kind whatsoever, in any way whatsoever.

IT IS SO ORDERED.

Date: February 7, 2010

Ryan Walsh, Administrator
Department of Banking
Bureau of Compliance, Investigation and Licensing

FILED

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING, BUREAU OF
COMPLIANCE, INVESTIGATION AND
LICENSING

Docket No.: 11 ~~009~~ ^{PA DEPT OF BANKING} (ENF-ORD)

v.

DONALD HERMAN COHEN

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Order of Prohibition upon the parties below, who constitute the only parties of record in this proceeding, in accordance with the requirements of 1 Pa. Code § 33.31:

BY FIRST CLASS MAIL and CERTIFIED MAIL

Donald Herman Cohen
468 Allenview Drive
Mechanicsburg, PA 17055

Dated this 7th day of February, 2011.

Linda Carroll
Deputy Chief Counsel
Attorney I.D. # 35868
Commonwealth of Pennsylvania
Department of Banking
Office of Chief Counsel
17 N Second Street, Suite 1300
Harrisburg, PA 17101
Telephone: (717) 787-1471
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