

3. Leonard Tabone is licensed by the Department as a mortgage originator, Nationwide Mortgage Licensing System and Registry Identification ("NMLS") No. 145499, Pennsylvania Mortgage Originator License No. 26302.

4. The Department received a complaint from a Pennsylvania consumer claiming that Leonard Tabone had signed mortgage application documents in the consumer's name without the consumer's consent.

5. Leonard Tabone admitted that he signed the consumer's mortgage loan application documents to move along the application process.

6. Leonard Tabone indicated that there was no consumer harm or intent to deceive.

7. The department may suspend, revoke or refuse to renew a license issued under this chapter if a licensee or director, officer, partner, employee or owner of a licensee has: (a)(3) "Engaged in dishonest . . . practices or conduct in connection with the mortgage loan business." 7 Pa. C.S. § 6139(a)(3).

8. Signing a consumer's documents is considered a dishonest practice in connection with the mortgage loan business.

9. The Department has authority to issue orders as may be necessary for the proper conduct of the mortgage loan business by licensees and the enforcement of the MLA. *See* 7 Pa. C.S. § 6138(a)(4).

10. The Department may fine a licensee that commits an action which would subject it to suspension, revocation or nonrenewal under 7 Pa. C.S. § 6139 up to \$10,000 per offense. *See* 7 Pa. C.S. § 6140(b).

RELIEF

11. Suspension. Leonard Tabone consents to a suspension of his Pennsylvania mortgage originator license for a period of 30 days. The suspension shall commence on the effective date of the order as defined in paragraph 20 below. During the period of suspension, Leonard Tabone will not originate any new mortgage applications; however any applications that were originated prior to the suspension period may continue to be processed for the benefit of the consumer. Upon the effective date of the order, Leonard Tabone shall provide a pipeline report to include the applicants name, address and origination date. The pipeline report shall be provided via email

12. Fine. Leonard Tabone agrees to pay a fine of \$500 for violations of the MLA. The fine shall be due within 30 days of the effective date of this order. The fine payments shall be remitted by a certified check or money order made payable to the "Pennsylvania Department of Banking and Securities," and sent to:

Bureau of Compliance and Licensing
Pennsylvania Department of Banking and Securities
17 N. Second Street, Suite 1300
Harrisburg, PA 17101

13. Updates to MU4 filing. Leonard Tabone shall ensure that all information in the MU4 filing is accurate including, but not limited to, the regulatory action disclosure.

FURTHER PROVISIONS

14. Consent. Leonard Tabone hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau's order authority under the MLA and agrees that he understands all of the terms and conditions contained therein. Leonard Tabone, by voluntarily entering into this Order, waives any right to a hearing or appeal concerning the terms, conditions and/or penalties set forth in this Order.

15. Publication. The Department will publish this Order pursuant to its authority in Section 302.A(5) of the Department of Banking Code. *See* 71 P.S. § 733-302.A(5).

16. Entire Agreement. This Order contains the whole agreement between the parties. There are no other terms, obligations, covenants, representations, statements, conditions, or otherwise, of any kind whatsoever concerning this Order. This Order may be amended in writing by mutual agreement by the Bureau and Leonard Tabone.

17. Binding Nature. The Department and Leonard Tabone intend to be and are legally bound by the terms of this Order.

18. Counsel. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

19. Effectiveness. Leonard Tabone hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes the Order.

20. Other Enforcement Action.

a. The Department reserves all of its rights, duties, and authority to enforce all statutes, rules and regulations under its jurisdiction against Leonard Tabone, in the future regarding all matters not resolved by this Order.

b. Leonard Tabone acknowledges and agrees that this Order is only binding upon the Department and not any other local, state or federal agency, department or office regarding matters within this Order.

21. Authorization. The parties below are authorized to execute this Order and legally bind their respective parties.

22. Counterparts. This Order may be executed in separate counterparts and by facsimile or electronic mail in portable document format "PDF."

23. Titles. The titles used to identify the paragraphs of this document are for the convenience of reference only and do not control the interpretation of this document.

WHEREFORE, in consideration of the foregoing, including the recital paragraphs, the Commonwealth of Pennsylvania, Department of Banking and Securities, Bureau of Compliance and Licensing and Leonard A. Tabone intending to be legally bound, do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
BANKING AND SECURITIES,
BUREAU OF COMPLIANCE AND
LICENSING**

Ryan Walsh, Chief, Compliance Division
Bureau of Compliance and Licensing
Department of Banking and Securities

Date: July 29, 2013

FOR LEONARD A. TABONE

(Signature)

Leonard A. Tabone
(Print Name)

Date: 7/29/2013