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COMMONWEALTH OF PENNSYLVANIA 2015 APR -9 AM 9:13
DEPARTMENT OF BANKING AND SECURTIES

PA DEPARTMENT OF
BANKING AND SECURTIES

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURTIES, COMPLIANCE OFFICE

v.

Docket No. 150009 (BNK-CAO)

ADVISORS MORTGAGE GROUP, LLC

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Compliance Office, conducted an examination of Advisors Mortgage Group, LLC ("Advisors Mortgage"), and its officers, employees and directors. Based on the results of the examination, the Compliance Office ("Office") determines that Advisors Mortgage operated in violation of the Mortgage Licensing Act, 7 Pa C S § 6101 et seq. The parties to the above-captioned matter, in lieu of litigation, hereby stipulate that the following statements are true and correct in the settlement of the above-captioned matter and, intending to be legally bound, hereby agree to the terms of this Consent Agreement and Order ("Order")

BACKGROUND

- 1 The Department is the Commonwealth of Pennsylvania's administrative agency authorized and empowered to administer and enforce the Mortgage Licensing Act.
2. The Mortgage Licensing Act ("MLA") was enacted on November 5, 2008.
3. The Office is primarily responsible for administering and enforcing the MLA for the Department

4. Advisors Mortgage is licensed by the Department as a mortgage lender, with license number 24720 and with the National Mortgage Licensing System Registry ("NMLS") identification number of 33041.

5. Advisors Mortgage maintains its principal place of business at 1411 Highway 35, Ocean, New Jersey 07712.

6. Advisors Mortgage maintains licensed branch offices in Norwood and Huntingdon Valley, Pennsylvania.

Unlicensed Activity

7. On or around December 8, 2014, the Department received information regarding possible unlicensed mortgage loan originator activities at Advisors Mortgage by an individual, Robert Bentley at the 380 Red Lion Rd., #104, Huntingdon Valley, Pennsylvania 19006 ("Huntingdon Valley branch").

8. The Office conducted an investigation of Advisors Mortgage at the Huntingdon Valley branch.

9. Robert Bentley is not an employee of Advisors Mortgage.

10. The MLA defines "mortgage loan business" as "[t]he business of advertising, causing to be advertised, soliciting, negotiating or arranging in the ordinary course of business or offering to make or making mortgage loans."

11. The investigation revealed that Robert Bentley engaged in the mortgage loan business as a mortgage originator (as defined in 7 Pa. C S § 6102) on behalf of Advisors Mortgage when he provided Good Faith Estimate paperwork, took mortgage loan applications and/or offered or negotiated mortgage loan terms with at least twelve (12) consumers on its behalf.

12. As of January 1, 2009, individuals acting as mortgage loan originators were required to be licensed as mortgage loan originators pursuant to Section 6111(a) of the Mortgage Licensing Act. *See* Section 13 of H.B. 1654 (2009), 7 Pa. C.S. § 6111(a).

13. Robert Bentley is neither licensed by the Department nor registered with the NMLS to engage in the mortgage loan business.

14. Advisors Mortgage violated the Mortgage Licensing Act when it conducted the mortgage loan business through an unlicensed mortgage loan originator. 7 Pa. C.S. § 6139(a)(14).

Authority of the Department

15. Section 6138(a)(4) of the Mortgage Licensing Act grants the Department broad authority to issue orders as may be necessary for the proper conduct of the mortgage loan business and enforcement of the Mortgage Licensing Act 7 Pa. C.S. § 6138(a)(4).

16. The Mortgage Licensing Act permits the Department to suspend, revoke or refuse to renew a license of a licensee where that licensee is a mortgage broker and "... conducted the mortgage loan business through an unlicensed mortgage originator." 7 Pa. C.S. § 6139(a)(14).

17. Section 6140(b) of the Mortgage Licensing Act provides, in relevant part, that "[a] person licensed under this chapter or director, officer, owner, partner, employee or agent of a licensee who violates a provision of this chapter or who commits any action which would subject the licensee to suspension, revocation or nonrenewal under section 6139 may be fined by the department up to \$10,000 for each offense" 7 Pa. C.S. § 6140(b).

VIOLATION

18. Advisors Mortgage violated the Mortgage Licensing Act when it conducted the mortgage loan business through an unlicensed mortgage loan originator. 7 Pa. C.S. § 6139(a)(14).

RELIEF

19. Fine. Advisors Mortgage agrees to pay a fine of three thousand dollars (\$3,000) which shall be due and payable to the Department within thirty (30) days of the Effective Date of this Order. The fine payment shall be remitted by certified check or money order made payable to the Pennsylvania Department of Banking and sent to the attention of: Pennsylvania Department of Banking and Securities, Compliance Office, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101.

20. Corrective Action. Advisors Mortgage informed the Department that it took steps to update its loan origination system to ensure that individuals, without valid licensing and credentials, will not have access to the mortgage loan origination system. In addition, Advisors Mortgage shall not conduct any mortgage business with unlicensed mortgage originators.

FURTHER PROVISIONS

21. Consent Advisors Mortgage hereby knowingly, willingly, voluntarily and irrevocably consents to the entry of this Order pursuant to the Bureau's order authority under the Mortgage Licensing Act and agrees that it understands all of the terms and conditions contained herein. Advisors Mortgage, 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.

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

23. 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 Advisors Mortgage

24. Binding Nature. The Department, Advisors Mortgage, and all officers, owners, directors, employees, heirs and assigns of Advisors Mortgage intend to be and are legally bound by the terms of this Order.

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

26. Effectiveness. Advisors Mortgage hereby stipulates and agrees that the Order shall become effective on the date that the Bureau executes the Order (the "Effective Date").

27 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 Advisors Mortgage in the future regarding all matters not resolved by this Order.

b. Advisors Mortgage 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

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

34. Counterparts. This Order may be executed in separate counterparts, by facsimile and electronic mail in portable document format (PDF)

35. 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 Department and Advisors Mortgage Group, LLC intending to be legally bound, do hereby execute this Consent Agreement and Order.

**FOR THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES
COMPLIANCE OFFICE**

Redacted

John R. Talalai, Administrator
Department of Banking and Securities
Compliance Office

Date: 4/9/2015

FOR ADVISORS MORTGAGE GROUP, LLC

Redacted

(Officer Signature)

Steven Meyer
(Print Officer Name)

President
(Title)

Date: 4/7/15