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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND SECURITIES

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF BANKING AND
SECURITIES, COMPLIANCE OFFICE

v.

MILLENIUM HOME MORTGAGE LLC

and

KEVIN MICHAEL VENTURA, an individual

Docket No. 20 0014 (BNK-CAO)

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, acting through the Department of Banking and Securities ("Department"), Compliance Office ("Office"), has reviewed a situation regarding Kevin Michael Ventura, and Millenium Home Mortgage LLC ("MHM"). Based on the results of its review, the Office concludes that Kevin Michael Ventura and MHM 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 Office is primarily responsible for administering and enforcing the Mortgage Licensing Act for the Department.
3. MHM is licensed as a Pennsylvania Mortgage Lender #31416 and NMLS unique identifier #51519.
4. MHM's principal place of business is located at 40 Baldwin Road Parsippany, NJ 07054.

5. Kevin Michael Ventura is not licensed under the Mortgage Licensing Act as a Mortgage Originator or in any other capacity but is sponsored by MHM with NMLS unique identifier #1894835.

Unlicensed Activity

6. The definition of “Mortgage originator” as found in Section 6102 of the Mortgage Licensing Act, 7 Pa. C.S. § 6102, is “An individual who, in a commercial context and habitually and repeatedly, ... represents to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationary, brochures, signs, rate lists or other promotional items, that the individual can or will perform the activities described in subparagraphs (i) and (ii).”

7. Section 6111 of the Mortgage Licensing Act states, in part, that “no person shall engage in the mortgage loan business in this Commonwealth without being licensed as a mortgage broker, mortgage lender, mortgage loan correspondent or mortgage originator as provided under this chapter.” 7 Pa. C.S. § 6111.

8. Email mortgage solicitations were inadvertently sent out under the name of Kevin Ventura and showing Kevin Michael Ventura’s NMLS unique identifier.

9. By having Kevin Michael Ventura’s name and NMLS unique identifier, the email mortgage solicitations represented Kevin Michael Ventura as a mortgage originator although he is not licensed as a mortgage originator.

VIOLATION

10. By representing Kevin Michael Ventura as a mortgage originator when he was not licensed as such, Kevin Michael Ventura and MHM violated Section 6111 of the Mortgage Licensing Act.

AUTHORITY OF THE DEPARTMENT

11. Section 6138(4) of the Mortgage Licensing Act authorizes the Department to issue orders as may be necessary for the enforcement of the Mortgage Licensing Act.

12. Section 6140(a) of the Mortgage Licensing Act provides that “A person subject to the provisions of this chapter and not licensed by the department who violates any provision of this chapter or who commits any action which would subject a license 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(a).

13. Section 6140(b) of the Mortgage Licensing Act provides that “A person licensed under this chapter or director, officer, owner, partner, employee, mortgage originator 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).

RELIEF

14. Fine. Without admitting or denying the allegations contained in this Order, MHM agrees to pay a fine of two thousand five hundred dollars (\$2,500). The payment is due within thirty (30) days of the Effective Date of the Order. The fine payment shall be made by ACH or wire transfer, or if ACH or wire transfer is unavailable, by certified check, cashier’s check, teller’s check or money order made payable to the “Department of Banking and Securities” and mailed or delivered in person to the attention of: Department of Banking and Securities, Compliance Office, 17 N. 2nd Street, Suite 1300, Harrisburg, PA 17101-2290.

15. Corrective Action. Kevin Michael Ventura and MHM shall not represent Kevin Michael Ventura as a Mortgage Originator until and unless Kevin Michael Ventura is licensed under the Mortgage Licensing Act.

FURTHER PROVISIONS

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

17. Legal Review. This order is subject to review by the Department's Legal Office.

18. Consumer's Rights. This Order shall not limit or impair a consumer's rights under the Mortgage Licensing Act.

19. 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).

20. 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 Office and MHM.

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

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

23. Effectiveness. MHM hereby stipulates and agrees that the Order shall become effective on the date that the Department's Legal Office executes and docket this Order ("Effective Date").

24. 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 MHM in the future regarding all matters not resolved by this Order.
- b. MHM 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.
- c. Nothing in this Order shall necessarily preclude Kevin Michael Ventura from being licensed as a loan originator in the Commonwealth of Pennsylvania should he otherwise meet the licensing criteria.

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

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

27. 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 of Banking and Securities, Compliance Office and MHM 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

James Keiser, Chief
Compliance Office
Department of Banking and Securities

Date: June 10, 2020

MILLENIUM HOME MORTGAGE LLC

SPENCE KILLAM
(Print Officer Name)

Redacted

(Officer Signature)

DIR OF OPERATIONS
(Title)

Date: 4/14/20



KEVIN MICHAEL VENTURA, an individual

KEVIN VENTURA
(Print Name)

Redacted

(Signature)

Date: 4/15/2020