

6. RTM Processing employed loan processors that were not licensed as mortgage originators.

7. Subsection 2(viii) of the definition of "mortgage originator", as found in Section 6102 of the MLA, exempts a loan processor from having to be licensed as a mortgage originator if the loan processor meets certain conditions, including being employed by a licensed or exempt mortgage company.

8. Because the loan processors were not employed by a licensed or exempt mortgage company, they did not qualify for the exemption for licensure as mortgage originators.

9. Because the loan processors did not qualify for the exemption for licensure as mortgage originators, and because they conducted activity which required licensure as a mortgage originator, the processors were in violation of 6111(a) of the MLA.

10. By employing loan processors when they were not licensed as mortgage originators or exempt from the mortgage originator requirements, RTM Processing was responsible for the loan processors being in violation of 6111(a) of the MLA.

11. RTM Processing fully cooperated with the Department during the examination process.

VIOLATION

12. The loan processors are in violation of 6111(a) of the MLA for not being licensed as mortgage originators.

13. RTM Processing is responsible for loan processors being in violation of 6111(a) of the MLA.

Authority of the Department

14. 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 Mortgage Licensing Act. *See* 7 Pa. C.S. § 6138(a)(4).

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

RELIEF

16. Fine. RTM Processing agrees to pay a fine of two thousand two hundred dollars \$2,200. Payment of the fine is due within thirty (30) days of the Effective Date of the Order. The fine payment shall be made in The Portal.

FURTHER PROVISIONS

17. Consent. RTM Processing 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 it understands all of the terms and conditions contained therein. RTM Processing, 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.

18. Consumer's Rights. This Order shall not limit or impair a consumer's rights under the Mortgage Licensing Act (MLA), 7 Pa. C.S. § 6101 *et seq.*

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 Department and RTM Processing.

21. Binding Nature. The Department and RTM Processing intend to be and are legally bound by the terms of this Order.

22. Counsel. This Order is subject to review by the Department's Legal Division. This Order is entered into by the parties upon full opportunity for legal advice from legal counsel.

23. Effectiveness. RTM Processing Financial hereby stipulates and agrees that the Order shall become effective on the date that the Department's Legal Division 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 RTM Processing, in the future regarding all matters not resolved by this Order.

b. RTM Processing 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.

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 RTM Processing 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

FOR RTM PROCESSING LLC

Redacted

Redacted

John Talalai, Administrator
Compliance Office
Department of Banking and Securities

(Officer Signature)

Date: 08/13/2021

Casey Reinig
(Print Officer Name)

President (member)
(Title)

Date: 8/10/2021

