

**STATE OF ILLINOIS**  
**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**  
**DIVISION OF BANKING**

IN THE MATTER OF: )  
)  
) No. 2008-MBR-59  
**A & A MORTGAGE, INC.** )  
License No. MB.6760409 )  
Attention: Nora Franco )  
4444 W. Diversey )  
Chicago, IL 60639 )

**ORDER ASSESSING FINE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the "Department"), having reviewed advertising activities conducted by A & A Mortgage, Inc. (the "Licensee") and having documented violations of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635] and the rules promulgated under the Act (the "Rules") [38 Ill. Adm. Code 1050], hereby issues this ORDER pursuant to the authority provided under Section 4-5 (h)(5) of the Act. The Department makes the following:

**FINDINGS**

1. That A & A Mortgage, Inc. is an Illinois residential mortgage licensee holding license No. MB.6760409 and located at 4444 W. Diversey, Chicago, Illinois 60639;
2. That the Department received a complaint around May 1, 2008 concerning an advertisement mailed to a consumer by Licensee regarding a "Fannie Mae Program for Adjustable Rate Mortgage Holders" (the "Advertisement");
3. That the Advertisement failed to identify the Licensee as an "Illinois Residential Mortgage Licensee" and to include the Licensee's office address, and made further reference on the envelope to "RE: Washington Mutual Bk Fa;"

4. That on May 12, 2008, the Department mailed a potential discipline letter to Licensee regarding violations of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635] and the rules promulgated thereunder (the "Rules") [38 Ill. Adm. Code 1050];
5. That the Licensee responded to the Department's potential discipline letter in a telephone call and a letter from legal counsel dated May 15, 2008, and advised, among other things, that the Licensee would be changing their current advertisement and providing the Department with a copy of the changes;
6. That the Department has reviewed Licensee's response and found that the Advertisement did contain violations of the Act and Rules, although the Department acknowledges that the Licensee is taking steps to keep from further advertising violations.

### **CONCLUSIONS**

BASED UPON THE ABOVE FINDINGS, THE DEPARTMENT IS OF THE OPINION AND CONCLUDES:

That notwithstanding notices and other efforts by the Department, Licensee has violated Section 3-3 of the Act and Section 1050.940 of the Rules, and is in further violation of Section 4-5(i)(11) and (17) of the Act.

### **ORDER**

NOW THEREFORE IT IS HEREBY ORDERED:

1. That A & A Mortgage, Inc., License No. MB.6760409 shall be and hereby is assessed a fine of \$500;
2. The fine in the amount of \$500 shall be due thirty (30) days after the effective date of this Order upon A & A Mortgage, Inc. and
3. The fine in the amount of \$500 shall be paid by means of a certified check or money order made payable to the:

**Department of Financial and Professional Regulation  
Division of Banking  
ATTN: FISCAL DIVISION, 2<sup>ND</sup> FLOOR  
320 W. Washington Street  
Springfield, IL 62786**

ORDERED THIS 21<sup>st</sup> DAY OF MAY, 2008

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
DEAN MARTINEZ, SECRETARY

DIVISION OF BANKING  
JORGE SOLIS, ACTING DIRECTOR

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REYNOLD M. BENJAMIN  
Assistant Director, Bureau of Residential Finance

**You are hereby notified that this Order is an administrative decision. Pursuant to 205 ILCS 635/4-12 and 38 Ill. Adm. Code, 1050.1510 *et seq.* any party may file a request for a hearing on an administrative decision. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision and, if so requested, a hearing shall be held on the administrative decision, by the Department of Financial and Professional Regulation, Division of Banking. Absent a request for a hearing, this Order shall constitute a final administrative Order subject to the Administrative Review Law [735 ILCS 5/3-101 *et seq.*].**