

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2009-MBR-53
BAY CAP MORTGAGE CORP.)
License No. MB.0006971)
Attention: Charlese Smith)
10811 Red Run Boulevard, Suite 200)
Owings Mills, MD 21117)

ORDER REVOKING LICENSE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (the “Department”), having reviewed the license status of Bay Cap Mortgage Corp., (the “Licensee”) and 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) (1) of the Act. The Department makes the following:

FINDINGS

1. That Bay Cap Mortgage Corp. an Illinois residential mortgage licensee holding inactive, lapsed license number MB.0006971 (the “License”) and located at 10811 Red Run Boulevard, Suite 200, Owings Mills, MD , 21117;
2. That it is the responsibility of the Licensee to accomplish renewal of its License as provided in Section 2-6 of the Act and Section 1050.320 of the Rules, including filing the completed renewal application no later than 60 days prior to the Licensee’s annual renewal date;
3. That it is further the responsibility of the Licensee pursuant to Act Section 2-6 in ceasing an activity or activities regulated by the Act and desiring to no longer be licensed to so inform the Department in writing, convey the license, provide a plan for withdrawal from regulated activities as well as comply with the Department’s surrender guidelines for purposes of the Act; and
4. That Licensee failed to properly renew or apply for surrender of its License and is not in compliance with the Act and Rules, and including its Act Section 2-4 averments to the Department.

CONCLUSIONS

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

That notwithstanding notices and other efforts by the Department, Licensee is in violation of Sections 2-4 and 2-6 of the Act and Section 1050.320 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 that the license of BAY CAP MORTGAGE CORP., License No. MB.0006971 is revoked by Order of the Department pursuant to Section 4-5(h) (1) of the Act for failure to comply with the provisions cited herein of the Act and Rules, effective ten days after receipt of this Order, unless you request a hearing pursuant to the Act and Subpart N of the Rules, including remitting the hearing fee required by Section 1050.210 of the Rules.

ORDERED THIS 3RD DAY OF MARCH, 2009

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
MICHAEL T. MCRAITH, ACTING SECRETARY

DIVISION OF BANKING

JORGE A. SOLIS, DIRECTOR

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.*].