

5. Section 1-4 (p) of the Act defines “Loan Broker” or “Broker” as a person, partnership, association, corporation or limited liability company, not lawfully exempt from the Act, who performs the activities described in subsections (c), (o), and (yy) of the Act.
6. Section 1-4(yy) of the Act defines “loan modification” to mean for compensation or gain, either directly or indirectly offering or negotiating on behalf of a borrower or homeowner to adjust the terms of a residential mortgage loan in a manner not provided for in the original or previously modified loan.
7. The Mortgage Rescue Fraud Act (“MRFA”) [765 ILCS 940] requires any person who, directly or indirectly, for compensation from a distressed owner, makes any solicitation, representation, or offer to perform loan modification activities to provide distressed owners statutorily defined contract terms and notice rights and refrain from taking an interest in the distressed owner’s home or securing advance payments prior to performing the contracted for service.

FACTUAL FINDINGS

8. On July 27, 2013, Borrower G.C. (“G.C.”) filed a complaint stating that Ricardo Arvizu and BUSINESS WORLD FINANCIAL did not provide any loan modification services for the money G.C. paid.
9. BUSINESS FINANCIAL WORLD, which Ricardo Arvizu identifies himself with (“Arvizu”), is not licensed by the Department to act as a residential mortgage licensee.
10. G.C.’s complaint alleges Arvizu came to her home unsolicited and offered to provide G.C. with a loan modification.
11. G.C.’s complaint alleges that Arvizu wanted \$2500 paid up-front for the loan modification. G.C. declined Arvizu’s offer at that time.
12. G.C.’s complaint alleges that Arvizu called G.C. daily for about a week and G.C. finally agreed to meet with Arvizu to proceed with the loan modification.
13. G.C.’s complaint alleges that on April 21, 2012, Arvizu met G.C. at G.C.’s home. G.C. wrote a check in the amount of \$1,000 towards the \$2500 initial up-front fee. Arvizu told G.C. to write “Forensic Loan Audits” in the memo of the check. G.C. asked for a receipt, but Arvizu declined G.C.’s request and did not give G.C. a receipt.
14. G.C.’s complaint alleges that on May 9, 2012, Arvizu came to G.C.’s home and informed G.C. that he could get her a loan modification, but informed G.C. that G.C.’s daughter could get a loan. G.C. wrote another check in the amount of \$300. G.C.’s daughter supplied Arvizu with copies of her tax returns, paystubs, and social security card.
15. G.C. alleges in her complaint that Arvizu stopped returning G.C.’s phone calls and that he did not provide any assistance to G.C.
16. G.C. provided the Department with an email string between G.C. and Arvizu in Spanish. G.C. also provided a business card indentifying Ricardo Arvizu as a foreclosure specialist for

BUSINESS WORLD FINANCIAL, which indicated that residential and commercial forensic loan audits and foreclosure and tax relief services were offered.

LEGAL CONCLUSIONS

COUNT I

17. BUSINESS FINANCIAL WORLD, without a license, through its agents, solicited, advertised and offered loan modification services. BUSINESS FINANCIAL WORLD is in violation of Sections 1-3(a) & (b) of the Act.

COUNT II

18. BUSINESS FINANCIAL WORLD through its agents accepted an upfront payment for loan modification services the company failed to perform. BUSINESS FINANCIAL WORLD is in violation of Sections 1-3(a) & (b) of the Act and Section 50(a)(1) of the MRFA.

NOW IT IS HEREBY ORDERED THAT,

1. BUSINESS FINANCIAL WORLD, an unlicensed entity and by and through its principals and agents, shall **CEASE AND DESIST** from soliciting or offering to modify residential mortgage loans, and engaging in any other licensable activities under the Act pursuant to Section 1-3(d-1) of the Act.
2. BUSINESS FINANCIAL WORLD shall pay a **FINE** in the amount of \$25,000 as authorized under Section 1-3(e) of the Act. The fine is payable by certified check or money order within thirty (30) days of the effective date of this Order to the:

**Department of Financial and Professional Regulation
Division of Banking
ATTN: FISCAL DIVISION
320 W. Washington, 5th Floor
Springfield, Illinois, 62786**

ORDERED THIS 25TH DAY OF NOVEMBER, 2013

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
MANUEL FLORES, ACTING SECRETARY

DIVISION OF BANKING

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 and \$250 hearing fee by certified check or money order shall be filed with the Department at 320 West Washington Street, 5th Floor, Springfield, IL 62786, ATTN: Loan Originator Section within 10 days after the receipt of an administrative decision. The request for hearing must include an explicit admission, denial, or appropriate response to each allegation or issue contained in the administrative decision pursuant to 38 Ill. Adm. Code 1050.1570. 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.*].