

**STATE OF ILLINOIS**

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**

**DIVISION OF BANKING**

IN THE MATTER OF: )  
)  
) No: 2010-LO-23-b  
**JAVIER MENDOZA** )  
)  
5367 Galloway Drive )  
)  
Hoffman Estates, Illinois 60192 )

**REFUSE TO RENEW ORDER**  
**LOAN ORIGINATOR REGISTRATION**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (“Department”), having conducted an investigation of the facts related to registered Loan Originator Javier Mendoza, (“Registrant”), 5367 Galloway Drive, Hoffman Estates, Illinois 60192 and having found that the Registrant has committed violations cited herein of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635], and of the rules promulgated under the Act (“Rules”) [38 Ill. Adm. Code 1050], hereby issues this ORDER pursuant to the authority provided under Article VII of the Act and Section 1050.2170(a) of the Rules. The Department makes the following findings:

**FINDINGS**

1. That Registrant holds an Illinois Loan Originator Registration No. 031.0000420 (“Registration”) and has the address of 5367 Galloway Drive, Hoffman Estates, Illinois 60192;
2. That Registrant was one of owners of and working under the Illinois residential mortgage license of Universal Mortgage Services, LLC (License No. MB.6759670; “Licensee”) for all purposes of this Order;
3. That on March 11, 2010, the Department received a complaint from a lender alleging that the Licensee had submitted two residential mortgage loans containing altered bank statements;
4. That the Department opened an investigation and based upon interviews with Universal’s officers and employees and borrowers, a review of Universal’s loan logs and files, and other evidence collected during this investigation and recorded in the Report of Investigation (the “ROI”) found that:

- a. That Registrant through Licensee allowed 2 loans, for borrowers M.L. & D.L. and B.O. & S. O. to be submitted to the lender containing fraudulent/altered bank statements and verifying the facts of the lender's complaint on March 11, 2010;
  - b. That Registrant owned the properties sold to borrowers B.O. & S.O. and A.R. and that another of Licensee's owners, Porfirio Mendoza, had an ownership interest in the properties through Porfirio Mendoza's company (P.D.M. Investment Partners, LLC) for the properties sold to borrowers R.O. & P.C. and J.S. & L.S.H. & C.D.;
  - c. That Registrant instructed one of his loan originator's Patricia Vargas ("Vargas") to sign loan documents as having originated loans for borrowers B.O. & S.O., R.O. & P.C., A.R., and J.S. & L.S.H. & C.D. when in fact Vargas did not originate the loans. The investigation found that this was done in order to avoid the appearance of conflict of interest to lenders in connection with Licensee brokering these properties that were owned by Registrant and Porfirio Mendoza, and for the purposes of concealing activities of Julian "Julio" Mendoza as hereinafter described;
  - d. That Registrant allowed Julian Mendoza, an unregistered loan originator, to take the loan applications and quote interest rates and explain loan products for borrowers B.O. & S.O. Julian Mendoza, who is a brother of Universal's owners Registrant and Porfirio Mendoza, is a licensed real estate broker, but not registered as a loan originator and could not lawfully perform the described loan originator services; and
  - e. That Registrant's actions led to Licensee's failure to maintain accurate loan logs and loan files by falsely identifying by name and/or signature Vargas as the loan originator for the aforementioned loans in actuality originated by Registrant himself or Julian Mendoza.
5. That Registrant knowingly used a name and registration number belonging to another loan originator to submit fraudulent information to Lenders to their detriment and to conceal his personal conflict of interest in the transactions. Furthermore, Registrant in his supervisory position allowed and encouraged misrepresentations and dishonest dealings. All of Registrant's actions were in violations of the Act and the Rules.

## **CONCLUSIONS**

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

Registrant's activities under Certificate of Registration No. 031.0000420 cited herein warrant a refuse to renew of said registration pursuant to Rule Sections 1050.2165 (b), (c) and (e).

## **ORDER**

IT IS HEREBY ORDERED that the Loan Originator Certificate of Registration 031.0000420 is refused to renew by Order of the Department pursuant to Section 1050.2170(a) of the Rules and Article VII of the Act.

ORDERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL  
REGULATION  
BRENT E. ADAMS, 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. You have the opportunity to request a hearing regarding this matter for a fee of \$250 plus the transcript fee pursuant to 38 Ill. Adm. Code 1050.2175. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision. A hearing shall be held by the Department of Financial and Professional Regulation, Division of Banking on the administrative decision. Absent a request for a hearing, this Order shall constitute a final administrative decision subject to the Administrative Review Law [735 ICLS 5/3-101 *et seq.*]

State of Illinois (   
 ( ss:   
 County of Cook (

The undersigned, being duly sworn on oath, states that on \_\_\_\_/\_\_\_\_/\_\_\_\_, I mailed with sufficient postage affixed, a copy of the foregoing **REFUSE TO RENEW ORDER LOAN ORIGINATOR REGISTRATION** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Registrant's Licensee registered with IDFPR Division of Banking listed below:

Nazia J. Hasan  
Gomberg, Sharfman,Gold and Ostler, P.C.  
208 S. LaSalle St., Suite 1200  
Chicago, IL. 60604

---

AFFIANT

Subscribed and sworn to before me,  
this \_\_\_\_ day of \_\_\_\_\_, 2010

---

NOTARY PUBLIC

---