

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:

MARK A. SCHWARZBACH

5 N. 741 Pearson Dr.

Wayne, Illinois 60184

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No. 2011-MLO-28

CONSENT ORDER

The Illinois Department of Financial and Professional Regulation, Division of Banking (“Department”) and Mark A. Schwarzbach (“Schwarzbach”), an Illinois Mortgage Loan Originator Registrant holding expired license No. 031.0004391 (“License”), hereby enter into this Consent Order pursuant to the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated thereafter (“Rules”) [38 Ill. Adm. Code 1050].

STIPULATIONS

The Department and Schwarzbach stipulate that an administrative hearing process has been engaged in by the Department and Schwarzbach. This process had been continued pending decision in the case arising from the grand jury indictment in the Circuit Court of Cook County (11cr-7988) and decision has issued in that case. The Department and Schwarzbach now wish to conclude this matter through this Consent Order.

TERMS AND CONDITIONS

WHEREFORE, the Department and Schwarzbach agree as follows:

- I. Schwarzbach agrees to withdraw his hearing request on Order No. 2011-MLO-28 (“Order”) and pay the Department a reduced fine of \$500. Withdrawal of Schwarzbach’s hearing request results in revocation of Schwarzbach’s License. Schwarzbach agrees to

pay the aforementioned fine to the Department within thirty (30) days of the execution of this Consent Order by money order or cashier's check.

- II. The Department agrees to rescind the original fine in the Order upon full payment of the reduced fine in Section I above and to publish this Consent Order as final disposition of the matter. Failure by Schwarzbach to timely make the payment required herein shall result in the original fine in the Order remaining in full effect and the Department is fully authorized to seek collection of the original fine amount by any authorized means.
- III. Schwarzbach agrees to not file any petition for administrative or judicial hearing of this Consent Order. Schwarzbach acknowledges that he has been represented by legal counsel in negotiating this Consent Order, and that he willingly enters into this Consent Order after full review, evaluation, and consideration and with full knowledge of his rights under the Act, Rules, and Illinois Administrative Procedure Act [5 ILCS 100].
- IV. The Department enters into the Consent Order for the purpose of imposing measures that are fair and equitable in the circumstances and that are consistent with the best interests of the people of the State of Illinois.
- V. The Consent Order shall become effective upon all the parties hereinafter designated signing and dating the Consent Order and on the date that the last of those designated for the Department sign and date the Consent Order.

The foregoing Consent Order is approved in full.

_____ date: _____
Mark A. Schwarzbach

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

_____ date: _____