

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2014-MLO-05
CHARLES FITZPATRICK)
IL License No. 031.0029348; NMLS ID No. 224878))
7809 West Main)
Belleville, Illinois 60101)

**ORDER SUSPENDING
MORTGAGE LOAN ORIGINATOR LICENSE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), having been notified by the Illinois Department of Healthcare and Family Services (“HFS”) of Mortgage Loan Originator Charles Fitzpatrick (“Fitzpatrick”) delinquency in child support payments, and having documented violations of the Residential License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated under the Act (“Rules”) [38 Ill. Adm. Code 1050], hereby issues this order for violations of the Act and Rules.

STATUTORY PROVISIONS

1. Section 7-3(3) of the Act states that to be licensed the applicant has demonstrated financial responsibility, character, and general fitness so as to command the confidence of the community and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of this Act. For purposes of this item (3) a person has shown that he or she is not financially responsible when he or she has shown a disregard for the management of his or her own financial condition. A determination that an individual has not shown financial responsibility may include, but is not limited to, consideration of (B) non payment of child support.
2. Section 7-11 of the Act states the Secretary may suspend a loan originator for violating the Act or any applicable law or regulation that is committed.

FACTUAL FINDINGS

3. Fitzpatrick is an Illinois Mortgage Loan Originator holding License No. 031.0029348 (“License”).

4. The Department received on January 13, 2014 a "Status of Child Support Payments" from HFS due to Fitzpatrick being over thirty days delinquent in making child support payments as ordered.
5. A Rule to Show Cause was sent to Fitzpatrick on January 14, 2014 giving him an opportunity to present proof he was no longer delinquent by January 31, 2014.
6. The Department did not receive the requested proof by January 31, 2014.

LEGAL CONCLUSIONS

7. Fitzpatrick violated Section 7-3(3) of the Act.

NOW IT IS HEREBY ORDERED THAT,

- . The Department **SUSPENDS** Charles Fitzpatrick's Mortgage Loan Originator License, MLO license No. 031.0029348, pursuant to 7-11 of the Act until notified by HFS of Fitzpatrick's compliance with his child support payments.

ORDERED THIS ____ DAY OF _____, 2014

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.*].

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 **ORDER SUSPENDING MORTGAGE LOAN ORIGINATOR LICENSE AND ASSESSING FINE** by regular and certified mail, return receipt requested at 100 W. Randolph Street, Chicago, Illinois 60601, to the address of Respondent registered with the Department and listed below:

AFFIANT

Subscribed and sworn to before me,
this ____ day of _____, 2014

NOTARY PUBLIC

CHARLES FITZPATRICK
7809 West Main
Belleville, Illinois 60101