

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2017-MLO-05
MASTROIANI O. GUY)
IL MLO License No. 031.0039661;)
NMLS ID 370466)
)

**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 (“MLO”) **MASTROIANI O. GUY’S** (“GUY”) certified delinquency in child support payments, and having documented violations of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and pursuant to the Act and Illinois Administrative Procedure Act (“IAPA”) [5 ILCS 100/10-65], hereby issues this order.

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 MLO 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 10-65 of the IAPA states in cases in which HFS has previously determined that an applicant or a licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the licensing agency, the licensing agency shall refuse to issue or renew or shall revoke or suspend that person's license based solely upon the certification of delinquency made by HFS or the certification of violation made by the court.
3. Section 7-11 of the Act authorizes the Department to suspend or take other disciplinary action against an MLO license for violations of the Act or any other applicable law.

FACTUAL FINDINGS

4. GUY is an Illinois Mortgage Loan Originator holding License No. 031.0039661 (“License”).
5. The Department received on November 1, 2017 a “Status of Child Support Payments” from HFS certifying that GUY was over thirty days delinquent in making child support payments as ordered.
6. A Rule to Show Cause was sent to GUY on November 1, 2017 giving him an opportunity to present proof he was no longer delinquent by November 14, 2017 or an Order of Suspension would be issued.
7. The Department did not receive the requested proof by November 14, 2017.

LEGAL CONCLUSIONS

8. GUY violated Section 7-3(3) of the Act.

NOW IT IS HEREBY ORDERED THAT,

- . The Department **SUSPENDS** MASTROIANI O. GUY’S Mortgage Loan Originator License, MLO license No. 031.0039661, pursuant to 7-11 of the Act until notified by HFS of GUY’S compliance with his child support payments.

ORDERED THIS ____ DAY OF _____, 2017

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
BRYAN A. SCHNEIDER, SECRETARY
DIVISION OF BANKING

KERRI A. DOLL, 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 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** 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 _____, 2017

NOTARY PUBLIC

MASTROIANI O. GUY
2823 ARCHES DRIVE
PLAINFIELD, IL 60586