

**STATE OF ILLINOIS**  
**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**  
**DIVISION OF BANKING**

IN THE MATTER OF: )  
 ) No. 2008-LO-54  
**PAWEL JANOWICZ** )  
8025 Nordica Avenue )  
Burbank, IL 60459 )

**ORDER REVOKING**  
**LOAN ORIGINATOR REGISTRATION**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the "Department"), having conducted an investigation into the facts related to registered Loan Originator Pawel Janowicz, ("Janowicz"), and having found that the Registrant has committed violations cited herein of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635], and of the rules promulgated under the Act (hereinafter referred to as the "Rules") [38 Ill. Adm. Code 1050], hereby issues this Order Revoking Loan Originator Registration under Section 1050.2170(a)(1) of the Rules pursuant to authority provided in Section 7-1 of the Act. The Department makes the following:

**FINDINGS**

1. That Janowicz is an Illinois Loan Originator Registrant holding certificate of registration No. 031.0007044;
2. That Janowicz is employed by and worked under Illinois residential mortgage license of Gateway Mortgage Group, ("Gateway;" License No. MB.6760139) for all purposes of this Order;
3. That on October 7 2008, the Department opened an investigation into an alleged real estate, appraisal, and mortgage fraud scheme involving KMA Construction, LLC, LMB Properties, LLC (under common ownership with KMA Construction, LLC), appraiser Peter Petrovich ("Petrovich;" License No. 556.0003324), and other involved parties, occurring at 2754 W. Washington Boulevard, Chicago, Illinois and at 7322 N. Winchester, Chicago, Illinois;
4. That Janowicz was interviewed first regarding his supervision and employment by Gateway and, based upon Janowicz's information, Department investigators determined Janowicz had been employed by Gateway for a little more than two years, working out of his home and representing himself as a branch manager for Gateway, and had been dealing with consumers in Illinois directly and ordering his own appraisals using Gateway's License;

5. That based upon Janowicz's interview, Department investigators found that Janowicz had engaged in improper and/or incomplete activities in relation to a \$310,000 loan transaction closed on March 14, 2008 for Unit 2E at 2754 W. Washington ("Unit 2E") including, but not limited to:
- a. Janowicz only knew the person who referred the borrower to him as "Marcos" although Janowicz worked with Marcos on more than one-half of the 7-9 loans he originated for Gateway in 2008;
  - b. Janowicz accepted multiple referrals from Marcos, but did not question or seek any information about Marcos' relationship to KMA Construction, the owner/seller of Unit 2E, nor to LMB Properties, the recipient of a substantial real estate commission at the settlement of the Unit 2E loan;
  - c. Janowicz failed to question or seek further occupancy information about the Unit 2E borrower's application for an owner-occupied loan, although an inquiry would have shown that the Unit 2E borrower owned multiple properties;
  - d. Janowicz, through Gateway's License, ordered an appraisal report from Petrovich for Unit 2E; however, Petrovich's appraisal for Unit 2E was completed on January 16, 2008, or 5 days before Janowicz took the loan application for Unit 2E;
  - e. Janowicz failed to explain why the loan transaction was allowed to go forward with the appraisal report since problems were called to Janowicz's attention by a lender (who rejected the submitted appraisal report) and Petrovich admitted to Janowicz that "he had cloned over an appraisal he previously performed in the same building and forgot to make some edits;"
  - f. Janowicz told the Department that he never used Petrovich as an appraiser prior to the Unit 2E loan transaction, yet the appraisal reports for all of the Marcos-related deals were completed by Petrovich;
  - g. Janowicz supplied verification of employment documentation to Department investigators for the Unit 2E borrower purportedly faxed by the employer to Janowicz, but altered on its face to remove identifying sender and fax number information.

## **CONCLUSIONS**

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

Janowicz's activities under Certificate of Registration No. 031.0007044 cited herein warrant revocation of said registration pursuant to Rule Section 1050.2165 (b) for making a false or misleading statement of a material fact, omitting a required statement or making a false promise regarding a material fact, through advertising or other means, or engaging in a course of misrepresentation, and further warrant revocation pursuant to Rule Section 1050.2165(c) for engaging in conduct that constitutes dishonest dealings.

**ORDER**

IT IS HEREBY ORDERED that the Loan Originator Certificate of registration 031.0007044 is revoked by Order of the Department pursuant to Section 1050.2170(a) (1) of the Rules and Section 7-1 of the Act.

ORDERED THIS 24<sup>th</sup> DAY OF September 2008

STATE OF ILLINOIS  
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
DIVISION OF BANKING

  
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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. The request for a hearing shall be filed within 10 days after the receipt of an administrative decision and, if so requested, 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.*].**