

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

IN THE MATTER OF: )  
 )  
 ) No. 2010-LO-CD-05  
**JEREMIAH N. CLEMENT** )  
7400 Iris Avenue )  
Hanover Park, Illinois 60133 )

**CEASE AND DESIST ORDER WITH A FINE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (the “Department”), having conducted an investigation of the facts related to registered Loan Originator Jeremiah N. Clement, (the “Respondent”), 7400 Iris Avenue, Hanover Park, Illinois 60133, and having found that the Respondent 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 (the “Rules”) [38 Ill. Adm. Code 1050], hereby issues this ORDER pursuant to the authority provided under Section 7-1 of the Act and Section 1050.2170 of the Rules. The Department makes the following findings:

**FINDINGS**

1. That Respondent is an applicant for an Illinois Loan Originator Registration and having the address of 7400 Iris Avenue, Hanover Park, Illinois 60133;
2. That while Department was reviewing Respondent’s application it was found that Respondent was working under the Illinois residential mortgage license of Residential Plus Mortgage Corp. (License No. MB. 0006264; hereinafter “Licensee”) for all purposes of this Order;
3. That Respondent was prohibited from originating loans for Licensee because he had not been granted his Registration;
4. That on January 13, 2010, the Department opened an investigation into Licensee in order to establish whether a specific loan originator was working for the company without being properly sponsored;
5. That upon arrival, the Department’s investigator, “Investigator”, spoke to Gregory Pusch (“Pusch”), the sales manager for Licensee, and requested from Pusch a copy of Licensee’s loan log from March 2009 to present. While Pusch went to locate the requested documentation, Investigator noticed a list of employees on the receptionist desk. Investigator compared said list to the Department’s records of which loan originators are currently sponsored by Licensee which he had printed from internal Department screens. There were several names listed on the receptionist desk that did not match the Department’s list;

6. That Pusch returned from searching for the loan log and informed Investigator that the document was so voluminous that it would take an exorbitant amount of time to print each page. The Investigator requested he review the loan log from an available computer. When Pusch obliged, Investigator while scrolling through the loan log on the computer found Respondent's name listed several times as a loan originator;
7. That Investigator then asked Pusch to email him a copy of the loan log that he viewed on the computer. Pusch agreed to email it to him on January 14, 2010;
8. That on January 14, 2010 Investigator received the email with the loan log attached from Pusch, however, the Investigator noticed that Respondent was no longer listed on the loan log;
9. That on January 20, 2010 Investigator returned to Licensee to analyze the discrepancy with the loan log emailed to him and the one he viewed on the computer. When Investigator reviewed the computer version of the loan log again he found that Respondent's name was still on the computer version and was referred to as a loan "rep" for seven borrowers. When Pusch was questioned about this he stated that Respondent was only mentioned on the loan log so he could have access to Licensee's computer system;
10. That Investigator then requested the original files for the seven borrowers. Investigator found through the review of these files that for borrowers Bunge, Vuong and Nwokedi, Respondent was listed as the loan originator on the application. Investigator also found for borrowers Aragon and Meiborg there were multiple applications one signed by Respondent and the other signed by Karmel Kifarkis ("Kifarkis"), a loan originator working for Licensee. Lastly, five borrowers had Kifarkis' name as the loan originator, however, it was written over whiteout. The Investigator was able to identify Respondent's name typed under the whiteout for the following borrowers, Karounos, Ramel, Stotts and Porter (two files);
11. That Respondent was originating loans using the name and Loan Originator Registration number of Kifarkas, a loan originator whose registration was active and sponsored by Licensee, in order to close loans in Illinois;
12. That Investigator contacted all of the aforementioned borrowers. Seven of the borrowers indicated that Respondent was in fact the loan originator who originated their loans and that they never heard of or met Kifarkis. The remaining two borrowers could not be reached. Additionally, he contacted Fowler another borrower from the loan log who also stated Respondent had originated her loan;
13. That Respondent not only knowingly used a name and registration number belonging to another loan originator because Respondent was viewed as unqualified to originate loans because he was unregistered, Respondent's actions were a misrepresentation to the consumers and lenders Respondent worked with and also constitutes dishonest dealings in violation of the Act and the Rules.

**CONCLUSIONS**

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

Respondent's activities warrant a cease and desist with a fine pursuant to Section 7-1 of the Act and Section 1050.2170 of the Rules

**ORDER**

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Jeremiah N. Clement shall cease and desist from all loan originating and solicitation activities;
2. That Jeremiah N. Clement shall be and hereby is assessed a fine of \$15,000 for violating the Act and Rules cited herein pursuant to Rules section 1050.2170(a)(2);
3. The total fine in the amount of \$15,000 shall be due thirty (30) days after the effective date of this Order; and
4. The fine in the amount of \$15,000 shall be paid by means of a certified check or money order made payable to the:

**Department of Financial and Professional Regulation  
Division of Banking  
ATTN: Loan Originator Section  
320 W. Washington  
Springfield, Illinois, 62786**

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 **CEASE AND DESIST ORDER WITH A FINE** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Respondent's Licensee registered with IDFPR Division of Banking listed below:

JEREMIAH N. CLEMENT  
7400 Iris Avenue  
Hanover Park, Illinois 60133

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AFFIANT

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

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NOTARY PUBLIC

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