

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

IN THE MATTER OF:

**RIAZ A. SHAKIR**  
6850 N. Cherry Lane  
Lincolnwood, Illinois 60712

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) No. 2011-MLO-CD-2  
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**ORDER TO CEASE AND DESIST & ASSESSING FINE**

The Illinois Department of Financial and Professional Regulation, Division of Banking (“Department”) hereby issues to Riaz A. Shakir (“Shakir”) this ORDER TO CEASE AND DESIST & ASSESSING FINE (“Order”). This Order is authorized by and issued pursuant to the Article VII of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635] and the rules promulgated thereunder (“Rules”) [38 Ill. Adm. Code 1050.2170].

**FINDINGS OF FACT**

The Department makes the following Findings of Fact:

1. That on March 2, 2011, the Department received an inquiry regarding LMP’s loan modification activities and alleged that LMP was charging fees for that activity;
2. That on March 4, 2011, the Department opened an investigation and an assigned investigator (“Investigator A”) conducted an on-site visit to LMP’s office at 2812 W. Peterson, Chicago, Illinois 60659 (“Office”). Investigator A, acting in the role of a consumer, asked to speak with someone about obtaining a loan modification and the costs for LMP’s services. Investigator A was informed by an Office staff person that Investigator A would need to come back and speak with Ms. Rodriguez. Investigator A asked the Office staff person if there was any fee associated with obtaining a loan modification through LMP and was informed that there was a \$500 up-front fee required to start the loan modification process;
3. That on March 9, 2011, another Department investigator (“Investigator B”) visited the Office in the role of a consumer and asked to speak with someone about obtaining a loan modification and the costs for LMP’s services. An Office staff person indicated that the person that Investigator B would need to speak to was currently meeting with a client, but proceeded to explain LMP’s various loan modification programs and to collect some information from Investigator B;
4. That in response to Investigator B’s question of costs, the Office staff person stated that there was a \$500 up-front, non-refundable processing fee required to start the loan

modification, another \$750 due when the loan modification paperwork was submitted to the lender and once the loan modification was approved then the balance of \$750 had to be paid. After fielding questions about Investigator B's delinquent mortgage payments and employment situation, Investigator B then announced his investigatory purpose/position and was referred to Shakir who was in the Office;

5. That the investigator then interviewed Shakir about LMP's loan modification activities and learned from Shakir that he was an owner of Zrash Mortgage (MB.0004984) which was located at the Office until its license was surrendered in October 2008. Investigator B later verified from Department licensing records the information regarding Zrash Mortgage and that Shakir had an expired provisional loan originator registration (030.0027869);
6. That Shakir stated he had been conducting loan modifications for approximately 11 months and had taken about 40 loan modification applications during that time. Shakir acknowledged that he processed, communicated, and negotiated with the banks on behalf of his clients and confirmed the aforementioned fee information given to Investigator B;
7. That the Department's Investigation Section then filed its reports of investigation and referred the matter for enforcement for unlicensed activities by LMP and Shakir in violation of the Act and rules promulgated thereunder ("Rules") [38 Ill. Adm. Code 1050.310(a)]; and
8. That the Department's review of the investigatory file shows there is reasonable cause to believe that an unsafe, unsound, or unlawful practices has occurred, is occurring, or is about to occur with respect to LMP and Shakir as cited herein.

### **CONCLUSIONS OF LAW**

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 Article VII of the Act and Section 1050.2170 (c) of the Rules.

### **ORDER**

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Riaz A. Shakir shall cease and desist from all loan originating and solicitation activities;
2. That Riaz A. Shakir shall be and hereby is assessed a fine of \$10,000 or violating the Act and Rules cited herein pursuant to Article VII of the Act and Rules section 1050.2170(a)(2);
3. The total fine in the amount of \$10,000 shall be due thirty (30) days after the effective date of this Order; and

4. The fine in the amount of \$10,000 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 \_\_\_\_\_, 2011

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
BRENT E. ADAMS, SECRETARY  
DIVISION OF BANKING

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MANUEL FLORES, 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, 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 **CEASE AND DESIST ORDER & ASSESSING FINE** by U.S. registered mail, return receipt requested, at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address listed below:

RIAZ A. SHAKIR  
6850 N. Cherry Lane  
Lincolnwood, Illinois 60712

\_\_\_\_\_  
AFFIANT

Subscribed and sworn to before me,  
this \_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
NOTARY PUBLIC