

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2011-MLO-14
MARTIN HAMMOND)
1113 Rostrevor Cir.)
Louisville, Kentucky 40205)

**ORDER IMPOSING SUSPENSION ON MORTGAGE LOAN ORIGINATOR
LICENSE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (“Department”), having conducted an investigation of the facts related to licensed Mortgage Loan Originator Martin Hammond, (“MLO licensee”), 1113 Rostrevor Cir., Louisville, KY 40205, and having found that the MLO licensee has committed violations cited herein of the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635], hereby issues this Order pursuant to the authority provided under Article VII. The Department makes the following findings:

FINDINGS

1. That MLO Licensee holds an Illinois Mortgage Loan Originator License No. 031.0028528 and NMLS ID No. 352628 (“MLO License”) and has the address of 1113 Rostrevor Cir., Louisville, KY 40205;
2. That on September 8, 2010 Hammond took the Illinois SAFE Mortgage Loan Originator Test at the Prometric Test Center located at 7499 New LaGrange Road, Suite 103, Louisville, KY 40222;
3. That the Nationwide Mortgage Licensing System (“NMLS”) Rules of Conduct for test takers are displayed electronically on the test candidates’ computer screen as part of the standard automated test process and Hammond was required to agree to the NMLS Rules of Conduct by selecting the “AGREE” option on the computer screen before proceeding with the test;
4. That Rule No. 3 of the NMLS Rules of Conduct states: “I must not receive or attempt to receive any form of assistance during the test or restroom breaks”;
5. That Rule No. 10 of the NMLS Rules of Conduct states: “If I violate any of these rules, I will be advised of the violation and the test center representatives will report the violation to the NMLS. I UNDERSTAND THAT NMLS MAY REPORT THE VIOLATION TO THE STATE(S) IN WHICH I AM SEEKING LICENSURE AND THE VIOLATION MAY SUBJECT ME TO DISCIPLINARY ACTION BY THE STATE(S), INCLUDING DENIAL OR REVOCATION OF MY LICENSE(S).”;

6. That the Mortgage Testing and Education Board (“MTEB”), acting on behalf of the State Regulatory Registry, LLC and the NMLS, is responsible for the oversight of SAFE required testing;
7. That on October 21, 2010, the MTEB received a report filed by the Test Center Administrator of the Prometric Test Center at Louisville, Kentucky that alleged that Hammond violated the NMLS Rules of Conduct by looking through a binder of notes in his car during an unscheduled break during the test;
8. That a review committee consisting of three members of the MTEB (“Review Committee”) conducted a full investigation of Hammond’s alleged violations of the NMLS Rules of Conduct and also provided notice and opportunity for Hammond to respond to the allegations;
9. That on January 31, 2011, the Review Committee determined that Hammond violated Rule No. 3 of the NMLS Rules of Conduct for receiving or attempting to receive any form of assistance during the test or restroom breaks;
10. That Hammond appealed the Review Committee’s findings;
11. That the Chair of the MTEB appointed a three-person Appeals Committee which conducted the appeal and affirmed the determination of the Review Committee;
12. That, the Department is authorized by the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635], and by Hammond’s agreement to the NMLS Rules of Conduct described above, to receive the MTEB investigative files pertaining to Hammond in connection with their administration of such laws;
13. That the conduct above violates the Act requiring individuals making system filings or submitting information to the system to do so in accordance with the procedures and requirements of the system, and would also bear on Hammond’s general fitness for licensure or continued licensure;

CONCLUSIONS

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

MLO Licensee’s activities under Mortgage Loan Originator License No. 031.0028528 are in violation of Sections 7-3 (3), 7-5 and 7-13 (10).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED:

1. That Martin Hammond Mortgage Loan Originator License shall be suspended pursuant to Act Section 7-11(a)(1) until he retakes and has successfully passed the Illinois SAFE Mortgage Loan Originator Test without violating NMLS Rules of Conduct; and
2. That Martin Hammond must, within 24 hours of receipt of this Order, promptly update his response to the regulatory disclosure question on his MU2 or MU4 Form, as applicable, on the NMLS to reflect the existence of this Order.

ORDERED THIS ____ DAY OF _____, 2011

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

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. 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 **ORDER IMPOSING SUSPENSION ON MORTGAGE LOAN ORIGINATOR LICENSE** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Registrant's Licensee registered with IDFPR Division of Banking listed below:

MARTIN HAMMOND
1113 Rostrevor Cir.
Louisville, Kentucky 40205

AFFIANT

Subscribed and sworn to before me,

this ____ day of _____, 2011

NOTARY PUBLIC
