

**STATE OF ILLINOIS**

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**

**DIVISION OF BANKING**

IN THE MATTER OF:

**MARK A. SCHWARZBACH**

5 N. 741 Pearson Dr.

Wayne, Illinois 60184

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No. 2011-MLO-28

**ORDER REVOKING**

**LOAN ORIGINATOR REGISTRATION AND ASSESSING FINE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking, (“Department”), having conducted an examination of the facts related to registered Loan Originator Mark A Schwarzbach, (“Registrant”), 5 N. 741 Pearson Dr., Wayne, Illinois 60184 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 pursuant to the authority provided under Article VII of the Act and Sections 1050.2170(a)(1)&(2) of the Rules. The Department makes the following:

**FINDINGS**

1. That Registrant was an Illinois Loan Originator Registrant holding expired certificate of registration No. 031.0004391 and having the last known address of 5 N. 741 Pearson Dr., Wayne, Illinois 60184;
2. That on June 8, 2011, the Department became aware of the grand jury indictment of the Circuit Court of Cook County (11cr-7988) against Registrant based on his involvement in a mortgage fraud scheme. The matter was reviewed by the Department investigator and subsequently forwarded to Legal;
3. That Registrant is alleged to have participated in said fraud scheme by devising a scheme to receive loans for real estate transactions where the Registrant and others split the money through a series of complex financial transactions but never purchased the property; and
4. That Registrant has been charged with financial crime conspiracy, financial institution fraud and money laundering which defrauded the lender out of hundreds of thousands of dollars for personal gain. All of Registrant’s actions were in violation of the Act and Rules.

**CONCLUSIONS**

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

Registrant's activities under Certificate of Registration No. 031.0004391 are in violation of Sections 7-3 (3), 7-13(1), (2), (3), (8), (9) and (15) of the Act and Sections 1050.2165(b), (c) and (e) of the Rules.

**NOW THEREFORE IT IS HEREBY ORDERED:**

1. That Mark A Schwarzbach's Loan Originator Certificate of Registration No. 031.0004391 is revoked and fined \$10,000 pursuant to Article VII of the Act and Sections 1050.2170(a)(1)&(2) of the Rules.
2. The total fine in the amount of \$10,000 shall be due thirty (30) days after the effective date of this Order; and
3. The fee 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 (   
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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 REVOKING LOAN ORIGINATOR REGISTRATION AND ASSESSING FINE** by regular and certified mail, return receipt requested at 122 S. Michigan Avenue, Suite 1900, Chicago, Illinois 60603, to the address of Respondent registered with IDFPD Division of Banking listed below:

MARK A. SCHWARZBACH  
5 N. 741 Pearson Dr.  
Wayne, Illinois 60184

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AFFIANT

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

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NOTARY PUBLIC

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