

STATE OF ILLINOIS

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

DIVISION OF BANKING

IN THE MATTER OF:)
)
) No. 2017-MLO-04
EDWARD R. CIEMNY)
IL License No. 031.0027857;)
NMLS ID 190623)
)

**ORDER SUSPENDING
MORTGAGE LOAN ORIGINATOR LICENSE**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, Division of Banking (“Department”), having conducted an investigation of EDWARD R. CIEMNY (“CIEMNY”), failed to respond to the Department’s requests and prove compliance with the Residential Mortgage License Act of 1987 (“Act”) [205 ILCS 635], and the rules promulgated thereunder (“Rules”) [38 Ill. Adm. Code 1050], hereby issues this **ORDER SUSPENDING MORTGAGE LOAN ORIGINATOR LICENSE**.

STATUTORY PROVISIONS

1. Section 7-3(3) of the Act states that to be licensed as a Mortgage Loan Originator (“MLO”) applicant has demonstrated financial responsibility, character, and general fitness so as to command the confidence of the community and to warrant a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of this Act.
2. Section 7-11 of the Act states the Department may suspend a loan originator for violating the Act or any applicable law or regulation that is committed.
3. Section 7-13(20) of the Act prohibits certain acts and practices by a MLO including interfering or obstructing an investigation or examination conducted pursuant to this Act.

FACTUAL FINDINGS

4. CIEMNY is an Illinois Mortgage Loan Originator holding License No. 031.0027857 (“License”).
5. On August 24, 2016, the Department’s Consumer Services Section received a complaint from a Licensee against CIEMNY, a former employee. The Licensee

stated they had received two complaints from customers alleging CIEMNY took money for appraisals and credit repair services while working on refinancing their current mortgages but never completed the loan process.

6. On September 29, 2017, the Department's Investigator ("Investigator") called CIEMNY at the phone number registered with the Department and left a voice message for a return call. On the same day, the Investigator received a call from CIEMNY and discussed the allegations in the complaint. CIEMNY stated that he does not do credit repair and it's illegal to take money to do so. On the same day, the Investigator sent CIEMNY an email at edciemny@hotmail.com, the email address he registered with the Department, to document the conversation.
7. On October 2, 2017, the Investigator sent CIEMNY an additional email along with attachments for CIEMNY to respond to the allegations.
8. On October 3, 2017, the Investigator received an email from CIEMNY indicating he was unable to open the attachments. On the same day, the Investigator asked for a fax number to send the attachments, the Investigator also re-submitted the attachments to CIEMNY via email.
9. On October 4, 2017, CIEMNY acknowledged receipt of the Investigator's email stating; he had a personal matter and would respond afterwards.
10. On November 1, 2017, after CIEMNY had not responded to the Investigator, a Rule to Show Cause was sent to CIEMNY giving him an opportunity to cooperate with the Department's investigation by November 14, 2017 or an Order of Suspension would be issued.
11. CIEMNY has not contacted the Investigator to date.

LEGAL CONCLUSIONS

12. CIEMNY is in violation of Section 7-3(3) & 7-13(20) of the Act.

NOW IT IS HEREBY ORDERED THAT,

- . The Department **SUSPENDS EDWARD R. CIEMNY'S** Mortgage Loan Originator License, MLO license No. 031.0027857; pursuant to 7-11 of the Act until the Department determines that CIEMNY has complied with the Department's investigation.

ORDERED THIS ____ DAY OF _____, 2017

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
BRYAN A. SCHNEIDER, SECRETARY
DIVISION OF BANKING

KERRI A. DOLL, 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 affected party may file a request for a hearing on a decision by the Director. The request for a hearing must be filed with the Department at 320 West Washington Street, 5th Floor, Springfield, IL 62786 within 10 days after the appealing party's receipt of this Order; a \$250 hearing fee payable to the Department by cashier's check or money order must be filed with the hearing request. The request for hearing must include an explicit admission, denial, or appropriate response to each allegation or issue contained in this Order pursuant to 38 Ill. Adm. Code 1050.1570. After receipt of a proper and timely request for hearing, 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].