# ORDER

## BEFORE THE ADMINISTRATOR
## STATE OF WISCONSIN
## DEPARTMENT OF FINANCIAL INSTITUTIONS
## DIVISION OF BANKING

TO: Real Estate Loan Negotiation Services, LLC
7400 Baymeadows Way, Suite 100
Jacksonville, FL 32556
Respondent

## PURPOSE

1. This is an order issued by the Administrator, State of Wisconsin, Department of Financial Institutions, Division of Banking and directed to respondent.

## JURISDICTION and AUTHORITY

2. The State of Wisconsin, Department of Financial Institutions, Division of Banking ("division") shall enforce all laws relating to adjustment service companies in the State of Wisconsin, and shall enforce and cause to be enforced every law relating to the supervision and control thereof. Sec. 220.02(2)(b), Stats.

3. The intent of s. 220.02(2)(b), Stats., is to give the division jurisdiction to enforce and carry out all laws relating to adjustment service companies in the State of Wisconsin. Sec. 220.02(3), Stats.

4. Respondent is not licensed under s. 218.02, Stats., with the division. Upon information and belief, respondent is located at the address indicated above.

5. Respondent is a regulated entity under the supervision and control of the division. Sec. 220.04(9)(a)2., Stats.

6. It shall be the duty of the division and the division shall have power, jurisdiction and authority to investigate the conditions and ascertain the facts with reference to such companies and upon the basis thereof to issue special orders in execution of or supplementary to s. 218.02, Stats. Sec. 218.02(7), Stats.

## FINDINGS

**The division finds as follows:**

7. On or about June 10, 2009, the division received a complaint against respondent filed by [redacted] ([redacted]), Wisconsin residents. The complaint disclosed that respondent was operating as an unlicensed adjustment service company. **Ex. 1.**

8. On June 15, 2009, the division wrote to respondent and advised respondent that as an unlicensed adjustment service company, respondent is not authorized to retain any fees from Wisconsin residents and that respondent must issue a refund check or credit to the [redacted]. **Ex. 2.**

9. On or about July 2, 2009, the division received a response from respondent. Respondent advised the division that respondent would not be refunding the fees paid by [redacted] **Ex. 3.**

10. On July 3, 2009, the division wrote to respondent and advised respondent that respondent must refund $1,498 to the [redacted] **Ex. 4.** The division has not received evidence that respondent has allowed the required refund.

11. Pursuant to s. 218.02(2)(a)1., Stats., each adjustment service company shall apply to the division for a license to engage in such business.

12. Respondent violated s. 218.02(2)(a)1., Stats., by conducting adjustment service company business with [redacted] without first obtaining a license.

## ORDER

**Based on the foregoing, IT IS HEREBY ORDERED AS FOLLOWS:**

13. Respondent shall not conduct or attempt to conduct adjustment service company business with Wisconsin residents.

14. Respondent shall immediately discontinue any and all violations of s. 218.02, Stats, and ch. DFI-Bkg 73, Admin. Code.

15. Respondent shall refund to [redacted] any and all monies that have been paid to respondent by [redacted]

16. Respondent shall forward to the division a copy of the refund check respondent sends to [redacted]. The copy of the refund check must be received by the division by May 17, 2010.

17. The provisions of this order shall be binding upon respondent and respondent's directors, officers, employees, agents, successors, assigns, and other persons participating in the conduct of its affairs. The provisions of the order shall remain effective and enforceable except to the extent that, and until such time as, any provisions of this order shall have been modified, terminated, suspended, or set aside by the division.

18 The effective date of this order shall be the date it is served, and service is complete upon mailing. Secs. 227.48(1), Stats., and DFI—Bkg 11.09, Admin. Code.

19. Any person violating any of the provisions of s. 218.02, Stats., shall be punished by a fine of not more than $500 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment. Sec. 218.02(10), Stats.

Dated and mailed at Madison, Wisconsin this 15th day of April, 2010.

By: [redacted]

Michael J. Mach, Administrator
Wisconsin Department of Financial Institutions
Division of Banking
P.O. Box 7876
345 W. Washington Avenue, 4th Floor
Madison, WI 53707-7876
tel. (608) 266-0451
fax (608) 267-6889

**APPEAL**

The procedures to appeal this order are set forth in s. 227.42, Stats. Pursuant to s. 227.42(1), Stats., any person filing a written request with an agency for hearing shall have the right to a hearing which shall be treated as a contested case if:

(a) A substantial interest of the person is injured in fact or threatened with injury by agency action or inaction;

(b) There is no evidence of legislative intent that the interest is not to be protected;

(c) The injury to the person requesting a hearing is different in kind or degree from injury to the general public caused by the agency action or inaction; and

(d) There is a dispute of material fact.

All four criteria set for in s. 227.42(1), Stats., must be met for a person to have the right to a hearing. In particular, the attention of an individual or entity requesting a hearing is directed to the requirement to demonstrate that there is a dispute of material fact regarding the basis or bases for the action being taken by the division.

The request shall be sent to:

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