

# ORDER

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

TO: Patrick A. Key  
d/b/a Key Mortgage  
1602 Droster Rd.  
Madison, WI 53716  
Respondent

## I. PURPOSE OF THIS ORDER

The purpose of this order is limit the mortgage broker registration of Patrick A. Key d/b/a Key Mortgage (“Key Mortgage”) and assess a forfeiture for its conduct relating to DFJ complaint #111875.

## II. JURISDICTION

1. The State of Wisconsin, Department of Financial Institutions, Division of Banking (“division”) shall enforce and carry out all laws relating to mortgage bankers, mortgage brokers and loan originators in the State of Wisconsin, and shall enforce and cause to be enforced every law relating to the supervision and control thereof, pursuant to subch. III, ch. 224, Stats.

2. Key Mortgage holds a certificate of registration as a mortgage broker with the division, certificate of registration #99-1899. Respondent is located at 1602 Droster Rd., Madison, WI 53716.

## III. POWERS OF THE DIVISION

3. Pursuant to s. 224.72(4r), Stats., if the division finds that the surety bond, security or insurance policy filed by a mortgage banker or mortgage broker has been canceled without the required notice to the division, the division may summarily suspend the mortgage banker’s or mortgage broker’s registration.

4. Pursuant to s. 224.72(7m), Stats., the division may not issue or renew a certificate of registration if the applicant has failed to provide any information required under s. 224.72(2)(c)1., Stats.; is delinquent for certain taxes; and for such other matters as set forth therein.

5. Pursuant to s. 224.77(1)(a) to (r), Stats., the division may deny an application submitted to it under s. 224.72, Stats., or may revoke, suspend or limit the certificate of registration of a mortgage banker, loan originator or mortgage broker, or may reprimand a mortgage banker, loan originator or mortgage broker for any of the grounds set forth therein.

6. Pursuant to s. 224.77(1m), Stats., the division may assess against a person who is registered under ch. 224, Stats., a forfeiture of not more than \$2,000 for each violation enumerated under ss. 224.77(1)(a) to (o) or (r), Stats.

7. Pursuant to s. 224.77(2), Stats., the division may revoke, suspend or limit a certificate of registration issued under subch. II, ch. 224, Stats., or reprimand a mortgage banker or mortgage broker registered under the subch. II, ch. 224, Stats., if a director, officer, trustee, partner or member of the mortgage banker or mortgage broker or a person who has a financial interest in or is in any way connected with the operation of the mortgage banker's or mortgage broker's business is guilty of any act or omission which would be cause for refusing to issue a certificate of registration to that individual.

8. Pursuant to s. 224.77(3)(a), Stats., the division may issue general and special orders necessary to prevent or correct actions by a mortgage banker, loan originator or mortgage broker that constitute cause under s. 224.77, Stats., for revoking, suspending or limiting a certificate of registration.

9. Pursuant to s. 224.77(3)(b), Stats., special orders may direct a mortgage banker, loan originator or mortgage broker to cease and desist from engaging in a particular activity or may direct the mortgage broker, loan originator or mortgage broker to refund or remit certain amounts.

10. Pursuant to s. 224.77(5), Stats., if the division finds a mortgage banker, loan originator or mortgage broker has violated s. 224(77(1)(p) or (q), the division shall, for the first offense, suspend the registration of the mortgage banker, loan originator or mortgage broker for not less than 90 days, and for the 2<sup>nd</sup> offense, revoke the registration of the mortgage banker, loan originator or mortgage broker.

11. Pursuant to s. 224.77(6) , Stats., the division shall restrict or suspend the registration of a mortgage banker, loan originator or mortgage broker for the proceedings and expenses set forth therein.

12. Pursuant to s. 224.77(7), Stats., the division shall revoke the certificate of registration of a mortgage banker, loan originator or mortgage broker for the tax matters set forth therein.

#### IV. FINDINGS

13. The division finds as follows:

a. On January 14, 2004, the division received a complaint against Key Mortgage and Patrick Key filed by [REDACTED] ("[REDACTED]"), DFI # 111875. Patrick Key's conduct in the [REDACTED] complaint, the natural consequences of which is to harass, oppress, or abuse, violates ss. 224.77(1)(i), (k), (L), and (m).

## V. ORDER

### 14. Based on the foregoing, IT IS HEREBY ORDERED AS FOLLOWS:

a. Pursuant to Wis. Stat. s. 224.77 (3), it is hereby ordered that Patrick Key and Key Mortgage take the following action:

Cease and Desist using collection practices described in the [REDACTED] complaint, the natural consequences of which is to harass, oppress, or abuse the debtor.

b. Pursuant to Wis. Stat. s. 224.77 (3), it is hereby ordered that Patrick Key and Key Mortgage take the following action:

As required by DFI-BKG 43.04(5), Wisconsin Administrative Code, ensure that all agreements, disclosures, representations and promises to perform services under chapter 224, subch. III, Stats., are in writing and include the written provisions outlined in DFI-BKG 43.04(5m)(a), Wisconsin Administrative Code.

c. Pursuant to Wis. Stat. s. 224.77(1), the division may and does hereby **limit** and **reprimand** Patrick Key and Key Mortgage for violating s. 224.77(1), Stats., regarding the aforementioned complaint.

Patrick Key's certificate of registration as a mortgage broker with the division, certificate of registration #99-1899, **shall be limited as follows**:

Prior to January 2, 2006, Patrick Key shall select, complete and successfully pass an educational course in one of the following subject areas: business ethics, fair lending or fair debt collection practices.

The educational course and provider shall be approved in advance by the Department.

Upon completion, Patrick Key shall provide the department with a transcript, certificate of completion or other documentation evidencing completion of educational requirement.

d. The division assesses against Patrick Key d/b/a Key Mortgage a forfeiture of \$4,000.00 for violating ss. 224.77(1)(i), (k), (L), and (m).

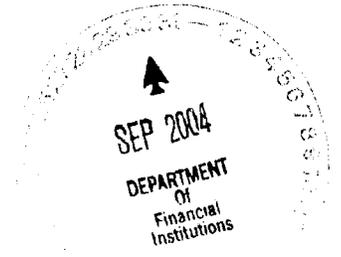
IT IS FURTHER ORDERED, that complaint file #111875 is hereby closed as to Respondent Patrick Key d/b/a Key Mortgage.

15. The provisions of this Order shall be binding upon Patrick Key d/b/a Key Mortgage and Key Mortgage's 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.

16. The effective date of this Order shall be the date it is served. Pursuant to s. 227.48, Stats., service is effective upon mailing.

Dated at Madison, Wisconsin this 12<sup>th</sup> day of OCTOBER, 2004.

By: \_\_\_\_\_  
Michael J. Mach, Administrator  
State of Wisconsin  
Department of Financial Institutions  
Division of Banking  
P.O. Box 7876  
345 W. Washington Avenue, 4<sup>th</sup> Floor  
Madison, WI 53707-7876  
tel. (608) 266-0451



CONSENT

Key Mortgage consents to the issuance of the above Order, and waives any appeal, review or contest of this Order.

By: Patrick A. Key

Date: 9-28-04