

2/24/09 Sent Regular  
& Certified Mail

## ORDER

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

TO: Rick Roloff

[REDACTED]  
[REDACTED]  
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 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. Ch. 224, subch. III, Stats.

3. Respondent holds a certificate of registration as a loan originator under ch. 224, subch. III, Stats., with the division, certificate of registration #23081. Respondent is located at the address indicated above.

4. 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. Sec. 224.77(3)(a), Stats.

5. 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 banker, loan originator or mortgage broker to refund or remit certain amounts. Sec. 224.77(3)(b), Stats.

6. 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. Sec. 224.77(1m), Stats.

### FINDINGS

#### The division finds as follows:

7. On September 11, 2008, respondent pled guilty to fraud charges filed in the United States District Court, Eastern District of Wisconsin. Respondent admitted that he

defrauded lenders by concealing material facts from lenders; submitting materially false loan applications, including applications which listed false bank account balances and employment information; creating false employment documentation; submitting documents to lenders that included false purchase prices and false down-payment information; creating false "gift letters" intended to deceive lenders as to the source of funds allegedly being used for down payments; temporarily depositing money into applicants' bank accounts for the purpose of inflating the account balances being shown to lenders; and signing HUD-1 Settlement Statements that contained false information, including false purchase prices.

8. Pursuant to s. 224.77(1)(m), Stats., the division may revoke, suspend or limit the certificate of registration of a loan originator, or may reprimand a loan originator, if the division finds that the loan originator engaged in conduct which constitutes improper, fraudulent or dishonest dealing.

9. Respondent engaged in conduct which constitutes improper, fraudulent or dishonest dealing when respondent defrauded various mortgage lenders.

10. Pursuant to s. 224.77(1)(i), Stats., the division may revoke, suspend or limit the certificate of registration of a loan originator, or may reprimand a loan originator, if the division finds that the loan originator demonstrated a lack of competency to act as a loan originator in a way which safeguards the interests of the public.

11. Respondent demonstrated a lack of competency to act as a loan originator in a way which safeguards the interests of the public when respondent defrauded various mortgage lenders.

12. Pursuant to s. 224.77(1)(L), Stats., the division may revoke, suspend or limit the certificate of registration of a loan originator, or may reprimand a loan originator if the division finds that the loan originator engaged in conduct which violates a standard of professional behavior which, through professional experience, has become established for loan originators.

13. Respondent engaged in conduct which violates a standard of professional behavior which, through professional experience, has become established for loan originators when respondent defrauded various mortgage lenders.

#### ORDER

**14. Based on the foregoing, IT IS HEREBY ORDERED that respondent's certificate of registration as a loan originator is revoked.**

15. The provisions of this order shall be binding upon respondent. 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, and service is complete upon mailing. Secs. 227.48(1), Stats., and DFI—Bkg 11.09, Admin. Code.

Dated and mailed at Madison, Wisconsin this 24th day of February, 2009.

By:   
Michael J. Mach, Administrator  
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  
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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Wisconsin Department of Financial Institutions  
Division of Banking  
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## NOTICE TO NON-RESIDENT ATTORNEYS

A non-resident attorney may file a pleading or appear at a proceeding in a matter before the administrator if he or she is 1) licensed to practice law in Wisconsin or 2) not licensed to practice law in Wisconsin but employed as in-house counsel for a single employer-client. See SCR 10.03(4), as interpreted in *Lee R. Krahenbuhl, DDS v. Wisconsin Department of Regulation and Licensing* (Memorandum Decision, February 26, 2003, Case No. 02-CV-1148, Dane County); see also SCR 20:5:5. Any questions regarding this matter should be directed to the Deputy General Counsel, Department of Financial Institutions, Office of the Secretary, tel. (608) 267-1705.