

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BUILDING 68-2
CRANSTON, RI 02920
(401) 462-9503**

**IN THE MATTER OF
ACTION MORTGAGE CORP.
NMLS ID # 2751
EMERGENCY ORDER UNDER R.I. GEN. LAWS § 42-35-14(c)
SUSPENDING LOAN BROKER LICENSE**

**EMERGENCY ORDER NUMBER 10-089
SUSPENDING LOAN BROKER LICENSE
AND NOTICE OF OPPORTUNITY FOR A HEARING**

Pursuant to R.I. Gen. Laws §§ 19-14-1 *et seq.* and 42-35-14(c), the Director (“Director”) of the Rhode Island Department of Business Regulation (“Department”) issues to Action Mortgage Corp., NMLS ID # 2751 (“Respondent”) this Emergency Order (“Order”) Suspending Rhode Island Loan Broker License Number 97000707LB (the “License”). This Order shall be effective upon issuance.

Upon receipt of a written request for a hearing on or before July 6, 2010, a hearing officer will be appointed by the Director and the matter will be set down for hearing. The Director will promptly notify the Respondent of the time and place for any hearing. If no hearing is requested and none is ordered by the Director, this Order shall become permanent on July 6, 2010 unless or until it is modified or vacated by the Director or the Director’s successor.

The Director makes the following findings of fact and conclusions of law with respect to entry of this Order:

1. Respondent is licensed as a loan broker pursuant to R.I. Gen. Laws § 19-14-1 *et seq.* On June 18, 2010, the Division of Banking (“Division”) of the Department obtained credible information that Nathan M. Russo, NMLS ID # 21618, a principal owner, vice President and mortgage loan originator for Respondent was indicted on June 17, 2010 in a multi-million dollar mortgage fraud initiative.
2. The Department is unable to conclude that Respondent has demonstrated the character, reputation, integrity, and general fitness that would warrant the belief that the businesses will be operated honestly, fairly, and in the public interest in compliance with R. I. Gen. Laws § 19-14-7(a).
3. Respondent has not reported the indictment to the Department as required by R. I. Gen. Laws § 19-14-22(b).
4. The indictment of Respondent’s principal owner, Vice President and mortgage loan originator constitutes grounds for revocation of the License pursuant to R. I. Gen. Laws § 19-14-13(a), (3), (4), and (7).
5. It is necessary to take emergency action in order to protect consumers from the harm caused by Respondent’s irresponsibility, untrustworthiness, and complete disregard of statutory and regulatory mandates and to prevent further harm to persons who may be relying upon Respondent to effectuate future financial transactions. Therefore, the protection of the public welfare and the integrity of the financial marketplace imperatively require emergency action pursuant to R. I. Gen. Laws § 42-35-14(c).

WHEREFORE, based on the foregoing, the Director finds that due to the seriousness of the violations attributed to Respondent in this Order, the public safety and welfare imperatively requires the issuance of this Order.

Accordingly, it is hereby ORDERED that Respondent:

1. Immediately cease and desist from the business of loan brokering or acting as a loan broker for a fee or other consideration.
2. On or before Wednesday, June 23, 2010 at four o'clock (4:00PM) file written confirmation that Respondent has immediately stopped conducting any loan brokering activities for a fee or other consideration that is subject to licensing under Title 19, Chapter 14, as amended, of the General Laws of Rhode Island.
3. On or before Wednesday, June 23, 2010, file written confirmation that Respondent has informed all license mortgage loan originators in its employ of this Order.
4. Upon receipt of this Order, in an orderly documented manner secure and transfer all existing applications and related files currently in process to a duly Rhode Island licensed Lender or Loan Broker in good standing; provided however, that on or before Wednesday, June 23, 2010 at 4 o'clock (4:00 PM) Respondent shall notify the Department in writing of the name and address of a duly licensed Rhode Island Lender or Loan Broker to whom Respondent proposes to transfer said files. For each application, Respondent shall delineate any and all fees, application fees, and/or other transactional fees. No transfer shall take place without the Department's approval of the Lender or Loan Broker proposed by Respondent.
5. Immediately forward to the licensed Rhode Island Lender or Loan Broker as described in paragraph 4 above to be held in escrow until further order of this Department any fees related to the items described in the above paragraph 4 listing the documents to be transferred. For any and all fees paid by applicants whose applications were transferred, and or closed and funded, Respondent shall delineate a plan for the return of any fees due to the respective applicant. To the

extent that there were no fees paid by the applicant, Respondent shall clearly designate that no fees were paid.

6. Provide the Department with a list of the name, address, license number and contact person of each Lender or Loan Broker for each file transferred as described in paragraph four (4) immediately upon said transfer. File with the Division a listing of all loans applications currently in the pipeline as of the date of Respondent's receipt of this ORDER
7. Respondent shall immediately surrender the original License to the Division.

Dated as of the 21st day of June 2010.



A Michael Marques
Director of Business Regulation

THE DIRECTOR RESERVES THE RIGHT TO PUBLISH A NOTICE OF THIS ORDER IN A NEWSPAPER OF GENERAL CIRCULATION IN THE STATE OF RHODE ISLAND.

CERTIFICATION

I hereby certify on this 21st day of June 2010 that a copy of the within Emergency Order was sent by certified mail postage prepaid to William A. Plante, President, Action Mortgage Corp., 1120 Park Avenue, Cranston, Rhode Island 02910 and to Robert Davignon, Esq., Agent for Service Re: Action Mortgage Corp., 120 Wayland Avenue, Suite 5, Providence, RI 02906.

Plante