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State of New Hampshire Banking Department

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|--|---|------------------|
| In re the Matter of: |) | Case No.: 10-399 |
| |) | |
| State of New Hampshire Banking Department, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| and |) | Consent Order |
| |) | |
| Kevin Gillis, |) | |
| |) | |
| Respondent |) | |
| |) | |

CONSENT ORDER

The State of New Hampshire Banking Department (the "Department") finds and Orders as follows:

Respondent

1. Kevin Gillis ("Gillis") is a New Hampshire Mortgage Loan Originator who did not become licensed in New Hampshire until January 12, 2010, when sponsored by Mortgage Master, Inc. Gillis was during the relevant time period an unlicensed New Hampshire Mortgage Loan Originator for Mortgage Master, Inc., which is a department licensee.

Jurisdiction

2. The Department is authorized to regulate mortgage loan originators pursuant to RSA Chapter 397-A. RSA 397-A:2.

3. The Commissioner has jurisdiction to issue orders to show cause and to cease and desist from violations under RSA Chapter 397-A and to revoke, deny, or suspend a license of a licensee and/or assess penalties pursuant to RSA Chapter 397-A. RSA 397-A:17, RSA 397-A:18 and RSA 397-A:21.

1 **Facts**

2 4. From September 2, 2009 through November 16, 2009, Gillis originated
3 nine (9) residential mortgage loans without being licensed as a New
4 Hampshire Mortgage Loan Originator.

5 5. From September 2, 2009 through November 8, 2009, Brian Paul Brisebois
6 ("Brisebois") worked with Gillis at Mortgage Master. Brisebois is a
7 New Hampshire Mortgage Loan Originator who did not become licensed in
8 New Hampshire until November 9, 2009. Brisebois originated seventeen
9 (17) New Hampshire residential mortgage loans without being licensed
10 as a New Hampshire Mortgage Loan Originator and as a result, is the
11 subject of a separate Consent Order. Though Brisebois originated these
12 loans, Gillis was the name disclosed on the disclosure documents as
13 the one who originated the residential mortgage loans. While Brisebois
14 awaited his employment transition from another company to Mortgage
15 Master, Inc., Brisebois transferred these loan applications to be in
16 Gillis' name.

17 6. During the request for information, Gillis has fully cooperated with
18 the Department.

19 **Violation(s) of Law and Penalties**

20 7. Gillis is a "Person" as defined by RSA 397-A:1, XVIII.
21 8. Gillis may be assessed an administrative fine not to exceed \$2,500.00
22 for each violation of RSA Chapter 397-A. *RSA 397-A:21, IV and V.*

23 **Respondent's Consent**

24 9. Gillis does not deny the facts, statements, or violations contained
25 herein and Gillis hereby agrees to the entry of this Consent Order.

1 10. Gillis voluntarily entered into this Consent Order without reliance
2 upon any discussions between the Department and Gillis, without
3 promise of a benefit of any kind (other than concessions contained in
4 this Consent Order), and without threats, force, intimidation, or
5 coercion of any kind. Gillis further acknowledges his understanding
6 of the nature of the allegations set forth in this action, including
7 the potential penalties provided by law.

8 11. Gillis hereby acknowledges, understands, and agrees that he has the
9 right to notice, hearing, and/or a civil action and hereby waives said
10 rights.

11 **Order**

12 12. **Whereas pursuant to RSA 397-A:20,VI**, this Consent Order is necessary,
13 appropriate and in the public interest and consistent with the intent
14 and purposes of New Hampshire banking laws, the Department Orders as
15 follows:

16 a. Gillis shall pay to the Department \$32,500.00 in administrative
17 penalties, payable contemporaneously with Gillis' signing of
18 this Consent Order. The check shall be bank check or guaranteed
19 funds and made payable to "State of New Hampshire"; and

20 b. Pursuant to RSA 397-A:17,II(d) and II(e)(1) and (4), Gillis
21 shall be hereby banned from employment in any supervisory
22 capacity (senior management or management level) for Mortgage
23 Master, Inc. or from any supervisory capacity (senior management
24 or management level) at any other entity within the jurisdiction
25 of the Department for a period of one year from the effective

1 date of this Consent Order."

2 13. This Consent Order may be revoked and the Department may pursue any
3 and all remedies available under law, if the Department later finds
4 that Gillis knowingly or willfully withheld information used and
5 relied upon in this Consent Order.

6 14. This Consent Order is binding on all heirs, assigns, and/or successors
7 in interest.

8 15. This Consent Order shall become effective upon the date the
9 Commissioner signs this Consent Order, providing the Department has
10 confirmed the payment referenced in Paragraph 12.a. herein.

11 16. Once this Consent Order is effective, the Department agrees not to
12 seek further reimbursement, refunds, penalties, fines, costs, or fees
13 regarding the facts, allegations, or findings of violations contained
14 herein.

15 **WHEREFORE**, based on the foregoing, we have set our hands to this Consent
16 Order, upon its execution by Ronald A. Wilbur, Bank Commissioner.

17 Recommended this 1st day of June, 2012 by

18 _____
/s/

19 Maryam Torben Desfosses, Hearings Examiner, Banking Department

20 Executed this 10th day of July, 2012 by

21 _____
/s/

22 Kevin Gillis

23 **SO ORDERED.**

24 _____
/s/

25 Ronald A. Wilbur,
Bank Commissioner

Dated: 8/14/12