

State of New York
Banking Department

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In the Matter of

Mercury Mortgage ILO Mercury, Inc.
(B500316)

SUSPENSION ORDER
(LINE of CREDIT)

A Licensed Mortgage Banker pursuant
to Article XII-D of the New York Banking Law

- Licensee-

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Whereas, Mercury Mortgage ILO Mercury, Inc. (the "Licensee") was granted a license on July 16, 1991, to engage in business as a mortgage banker pursuant to Article XII-D of the New York Banking Law (the "Banking Law"). Based on the State of New York Banking Department's (the "Department") records the Licensee maintains a principal office at 353C Route 46 West, Fairfield, NJ 07004;

Whereas, Section 410.1(b)(2) of Part 410 of the Superintendent's Regulations specifies that each mortgage banker shall demonstrate and maintain a line of credit in an amount of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks;

Whereas, on April 13, 2009, the Department sent a letter to the Licensee informing the Licensee of the requirements that it demonstrate the existence of a line of credit in an amount of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks;

Whereas, the Licensee was granted until April 27, 2009 to comply with the requirements of Section 410.1(b)(2) of Part 410 of the Superintendent's Regulations;

Whereas, on May 13, 2009 the Department sent a letter to the Licensee informing the Licensee of the requirements that it demonstrate the existence of a line of credit in an amount of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks;

Whereas, the Licensee was granted until June 13, 2009 to comply with the requirements of Section 410.1(b)(2) of Part 410 of the Superintendent's Regulations;

Whereas, on April 30, 2010, the Department sent a letter to the Licensee informing the Licensee of the requirements that it demonstrate the existence of a line of credit in an amount of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks;

Whereas, the Licensee was granted until May 28, 2010 to comply with the requirements of Section 410.1(b)(2) of Part 410 of the Superintendent's Regulations;

Whereas, to date the Licensee has not demonstrated the existence of a line of credit as prescribed in Section 410.1(b)(2) of Part 410 of the Superintendent's Regulations;

Whereas, pursuant to Section 595.1(b) of the Banking Law, the Superintendent may revoke a mortgage banker's license if it is found that any fact or condition exists which, if it had existed at the time of original application for such license, would have warranted the Superintendent in refusing originally to issue such license;

Whereas, pursuant to Section 595.2 of the Banking Law, the Superintendent may on good cause shown, or where there is substantial risk of public harm, suspend the Licensee's mortgage banker license for a period not exceeding thirty days, pending investigation;

Whereas, pursuant to Section 595.5 of the Banking Law, the suspension of a mortgage banker license shall not impair or affect the obligation of any pre-existing lawful contract between Licensee and any person;

Whereas, the Licensee's failure to maintain a line of credit in an amount of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks constitute grounds for suspension or revocation of its license under Sections 595.1(b) and 595.2.

NOW THEREFORE, the Superintendent hereby finds that the Licensee's mortgage banker license should be suspended because the Licensee has failed to maintain a line of credit of not less than \$1,000,000 provided by an unaffiliated banking institution, insurance company, or a similar credit facility approved by the Superintendent of Banks. Therefore, a substantial risk of public harm exists and/or good cause exists in that the Licensee has defaulted or is likely to default in performing its financial engagements warranting such suspension. Accordingly, the Superintendent hereby immediately suspends the Licensee's mortgage banker license for a period not exceeding thirty days from the date of this Order pending investigation.

Witness, my hand and official seal of the Banking Department at the City of New York, this 7th day of January in the year two thousand eleven.

Rholda L. Ricketts
Deputy Superintendent of Banks