
*
IN THE MATTER OF: *
*
GREENWAY MORTGAGE FUNDING *
CORP. d/b/a EMERALD HOME LOANS *
NMLS # 374480 *
*
(“Greenway”) *
*

CONSENT ORDER

WHEREAS, the Banking Commissioner (“Commissioner”) is charged with the administration of Part I of Chapter 668, Sections 36a-485 to 36a-534b, inclusive, of the Connecticut General Statutes, “Mortgage Lenders, Correspondent Lenders, Brokers and Loan Originators”;

WHEREAS, Greenway is a New Jersey corporation that is currently licensed as a mortgage lender in Connecticut under Part I of Chapter 668, Sections 36a-485 *et seq.*, of the Connecticut General Statutes;

WHEREAS, Section 36a-490(b)(2) of the Connecticut General Statutes requires that a mortgage lender licensee file with the Nationwide Multistate Licensing System and Registry (“NMLS”) a change of its fictitious name at least thirty (30) calendar days prior to such change, and provide directly to the Commissioner a bond rider or endorsement, or addendum, as applicable, to the surety bond on file with the Commissioner that reflects the new name of the company;

WHEREAS, Greenway failed to file with NMLS a change of its legal name or a fictitious name, namely the addition of its trade name “Emerald Home Loans”, at least thirty (30) calendar days prior to such change, and, in connection with such change, failed to provide, directly to the Commissioner, a bond rider or endorsement, or addendum, as applicable, to the surety bond on file with the Commissioner;

WHEREAS, the Commissioner believes that such allegation would support initiation of proceedings against Greenway, which proceedings would constitute a “contested case” within the

meaning of Section 4-166(4) of the Connecticut General Statutes. Section 4-177(c) of the Connecticut General Statutes and Section 36a-1-55(a) of the Regulations of Connecticut State Agencies provide that a contested case may be resolved by consent order, unless precluded by law;

WHEREAS, Greenway, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to notice and an opportunity for hearing as it pertains to the allegation set forth herein, voluntarily agrees to consent to the entry of the sanctions imposed below without admitting or denying any allegation contained herein and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order;

WHEREAS, Greenway acknowledges that this Consent Order is a public record and is a reportable event for purposes of NMLS, as applicable;

AND WHEREAS, Greenway herein represents to the Commissioner that it has reviewed and updated its internal policies, procedures and controls to ensure that Greenway will file any change it makes to its name or any trade name or any address of any office specified on its most recent filing with NMLS at least thirty (30) calendar days prior to such change and, in connection with such change, Greenway will provide directly to the Commissioner a bond rider or endorsement, or addendum, as applicable, to the surety bond on file with the Commissioner that reflects such change.

CONSENT TO ENTRY OF SANCTIONS

WHEREAS, Greenway, through its execution of this Consent Order, consents to the Commissioner's entry of a Consent Order imposing the following sanctions:

1. No later than the date this Consent Order is executed by Greenway, it shall remit to the Department of Banking by wire transfer, cashier's check, certified check or money order made payable to "Treasurer, State of Connecticut", the sum of Five Hundred Dollars (\$500) as a civil penalty; and
2. No later than the date this Consent Order is executed by Greenway, it shall provide directly to the Commissioner a bond rider or endorsement, or addendum, as applicable, to the surety bond on file with the Commissioner that reflects the new name of the company.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

1. The Sanctions set forth above be and are hereby entered;
2. Upon issuance of this Consent Order by the Commissioner, this matter will be resolved and the Commissioner will not take any future enforcement action against Greenway based upon the allegation contained herein; provided that issuance of this Consent Order is without prejudice to the right of the Commissioner to take enforcement action against Greenway based upon a violation of this Consent Order or the matters underlying its entry, if the Commissioner determines that compliance with the terms herein is not being observed or if any representation made by Greenway and reflected herein is subsequently discovered to be untrue;
3. Greenway shall not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any allegation referenced in this Consent Order or create the impression that this Consent Order is without factual basis;
4. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by Greenway and its control persons, as applicable, on NMLS, nothing in the issuance of this Consent Order shall adversely affect the ability of Greenway to apply for or obtain licenses or renewal licenses under Part I of Chapter 668, Sections 36a-485 *et seq.*, of the Connecticut General Statutes, provided all applicable legal requirements for such license are satisfied;
5. This Consent Order shall become binding upon Greenway and its successors and assigns; and
6. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 9th day of July 2019.

/s/

Jorge L. Perez
Banking Commissioner

I, James R. Payor, state on behalf of Greenway Mortgage Funding Corp. d/b/a Emerald Home Loans that I have read the foregoing Consent Order; that I know and fully understand its contents; that I am authorized to execute this Consent Order on behalf of Greenway Mortgage Funding Corp. d/b/a Emerald Home Loans; that Greenway Mortgage Funding Corp. d/b/a Emerald Home Loans agrees freely and without threat or coercion of any kind to comply with the sanctions entered and terms and conditions ordered herein; and that Greenway Mortgage Funding Corp. d/b/a Emerald Home Loans voluntarily agrees to enter into this Consent Order, expressly waiving the procedural rights set forth herein as to the matters described herein.

By: /s/
Name: James R. Payor
Title: President
Greenway Mortgage Funding Corp.
d/b/a Emerald Home Loans

State of: New Jersey

County of: Monmouth

On this the 3rd day of July 2019, before me, Jessica Foley, the undersigned officer, personally appeared James Payor, who acknowledged himself/herself to be the President of Greenway Mortgage Funding Corp. d/b/a Emerald Home Loans, a corporation, and that he/she as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as President.

In witness whereof I hereunto set my hand.

/s/
Notary Public
Date Commission Expires: 3/23/21