



## Massachusetts Division of Banks

# 2022 Annual Enforcement Report

## Depository & Non-Depository Entities

Released: February 2023

### 2022 Enforcement Actions

For a complete list of all public orders by year, use the following link: [Massachusetts DOB Enforcement Actions](#). Additional information can be found at The Division of Banks [website](#).

The Division of Banks issued a total of **61** formal and informal regulatory Enforcement Orders which included the **18** formal public orders listed below during 2022.

#### Mortgage Companies

loanDepot.com, LLC	<a href="#">Consent Order</a>
Kind Lending, LLC	<a href="#">Consent Order</a>
Andrew Marquis	<a href="#">Settlement Agreement</a>
Cross Country Mortgage, LLC	<a href="#">Consent Order</a>
Mutual of Omaha Mortgage, Inc.	<a href="#">Consent Order</a>
Mutual of Omaha Mortgage, Inc.	<a href="#">Temporary Cease and Desist Order</a>

#### Mortgage Loan Originators

Danny Yen d/b/a Real Estate Educational Services, Wendy Yen, and Dat Yen a/k/a Pat Yen	<a href="#">Settlement Agreement</a>
Brian Brown	<a href="#">Consent Order</a>
Kevin Heckemeyer	<a href="#">Consent Order</a>
Michael Rakeman	<a href="#">Consent Order</a>
Chad Baker	<a href="#">Consent Order</a>

#### Check Cashers

Julie's Check Cashing	<a href="#">Cease Directive</a>
Master Cut Meat Market, LLC	<a href="#">Cease Directive</a>
Brasileirinho Market, Inc. d/b/a Emporium Brasileirinho	<a href="#">Cease Directive</a>

#### Debt Collectors

Full Circle Financial Services, LLC	<a href="#">Cease Directive</a>
Penn Credit Corporation	<a href="#">Consent Order</a>
Monterey Financial Services, LLC	<a href="#">Consent Order</a>
First American National, LLC & First American Funding, LLC & B&B Funding, LLC & Coastal Financial, LLC	<a href="#">Consent Order</a>

## Penalties, Consumer Reimbursements, and Consumer Complaints

Administrative Penalties Collected	\$1,412,000.00
Consumer Reimbursements Returned	\$2,836,483.96
<b>Total</b>	<b>\$4,248,483.96</b>
Total Number of Consumers Reimbursed	37,828
Consumer Complaints Processed	255

## 2022 Key Agency Actions

- On December 1, 2022, the Division of Banks, in partnership with the Massachusetts Office of Consumer Affairs and Business Regulation and State Treasurer's Office of Economic Empowerment, announced the recipients of the [Financial Education Innovation Fund Grant](#) for the 2022-2023 academic year. Thirty-nine Massachusetts high schools, including 8 first-time applicants, were awarded \$115,400 for Credit for Life Fairs. This year's round saw a 300% increase in special education school applicants.
- On October 7, 2022, the Division issued a [Regulatory Bulletin Update](#) pertaining to updates to examination policy, branch office policies, guidelines for "18-65" accounts, and credit union membership by-laws.
- In recognition of National Cybersecurity Awareness Month in October, the Division issued a cybersecurity awareness bulletin for consumers: [#SeeYourselfInCyber](#). Each week during the month, the Division posted information pertaining to cybersecurity:
  - [Multi-factor authentication \(MFA\)](#)
  - [Use strong passwords](#)
  - [Recognize and report Phishing](#)
  - [Update your software](#).
- On September 22, 2022, the Division hosted a virtual public [Board of Bank Incorporation Hearing](#) pertaining to a petition by Brookline Bankcorp, Inc. of Boston, MA to acquire PCSB Financial Corporation of Yorktown Heights, NY, the holding company for PCSB Bank of Brewster, NY.
- In June, the Division of Banks published the [2021 Annual Report of the Commissioner of Banks](#). The report denotes agency achievements and provides a snapshot of the financial industry regulated by the Division.
- On May 27, 2022, the Division of Banks, Treasurer Goldberg's Office of Economic Empowerment, and the Office of Consumer Affairs and Business Regulation (OCABR) awarded over \$43,000 in grants to nine organizations to establish new or improve pre-existing financial education programs for the Military, Veteran, Family, and Survivor Community. You can read more about these organizations and the grants [here](#).
- On April 26, 2022, the Division of Banks, the Treasurer Goldberg's Office of Economic Empowerment, and the Office of Consumer Affairs and Business Regulation, announced the opening of the application process for the 2022-2023 Financial Education Innovation Fund grants. These grants provide funding for high schools throughout Massachusetts to host Credit for Life Fairs, workshops that teach students financial literacy. Information about the application process can be found [here](#).
- On March 15, 2022, the Division of Banks awarded over \$2.5 million in grants to fund first-time homeownership education programs and foreclosure prevention counseling centers throughout the Commonwealth. The funds awarded through the Chapter 206 grant program went to a total of 24 organizations including 9 regional foreclosure prevention centers and 15 consumer counseling organizations. More information can be found [here](#).
- In January, the Division of Banks, in partnership with 44 state financial agencies, reached settlements with more than 400 mortgage loan originators nationwide who deceptively claimed to have completed annual continuing education for the Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act) as required under state and federal law. You can read the full details [here](#).

## DOB connects and Industry Outreach

- On Tuesday September 27, 2022, during Boston Fintech Week, the Division of Banks hosted *Meet the Regulators: Connecting the Commonwealth's Financial Regulator with the Fintech Community*. More than 60 industry leaders, entrepreneurs, and interested parties attended the session held at Worcester Polytechnic Institute (WPI) Seaport.
- On June 15, 2022, the webcast "Cannabis and BSA: Banking Perspectives and Regulatory Considerations" was broadcast. The webcast featured a discussion with managers from the Division's Depository Unit and a senior vice president and compliance officer from a Massachusetts community bank. The discussion focused on cannabis banking and legislation, highlighting the 2021 SAFE Act. The webcast can be accessed [here](#).
- On May 3, 2022, the webcast "2022 Compliance Priorities: Concerns and Perspectives from the Financial Industry" was broadcast. The webcast featured a discussion with two compliance officers from Massachusetts banks on various issues including the impact of the war in Ukraine on business banking, post pandemic operations and staffing, cannabis business, and fintech. The webcast can be accessed [here](#) and the handout can be found [here](#).
- On February 3, 2022 "Home Mortgage Disclosure Act (HMDA): Top Regulatory Finds and Best Practices" was broadcast. The webcast featured conversation with Division examiners from both the depository and non-depository units who discussed top HMDA examination findings and best practices for HMDA compliance. The webcast can be accessed [here](#) and the handout can be found [here](#).