

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS.

COMMISSIONER OF BANKS
MORTGAGE LOAN ORIGINATOR
LICENSING
Docket No. 2020-011

In the Matter of
David Kravets

Mortgage Loan Originator
License No. MLO 32721

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) CONSENT ORDER
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WHEREAS, David Kravets, a licensed mortgage loan originator under Massachusetts General Laws (M.G.L.) chapter 255F, section 2, has been advised of his right to Notice and Hearing pursuant to M.G.L. chapter 30A, section 10, and having waived those rights, entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF A CONSENT ORDER (Consent Agreement) with representatives of the Division of Banks (Division) dated October 29, 2020, whereby, solely for the purpose of settling this matter and without admitting any allegations or implications of fact or the existence of any violations of applicable state and federal statutes or rules, David Kravets agrees to the issuance of this CONSENT ORDER (Consent Order) by the Commissioner of Banks (Commissioner);

WHEREAS, the Division has jurisdiction over the licensing and regulation of persons engaged in the business of a mortgage loan originator in Massachusetts pursuant to M.G.L. chapter 255F, section 2 and its implementing regulations 209 Code of Massachusetts Regulations (C.M.R.) 41.00 *et seq.*;

WHEREAS, David Kravets is licensed by the Commissioner as a mortgage loan originator under Massachusetts General Laws chapter 255F, section 2. According to records maintained on file with the Division, and the Nationwide Multi State Licensing System & Registry (NMLS), the

Commissioner initially issued a mortgage loan originator license, license number MLO32721, to David Kravets to engage in the business of a mortgage loan originator on or about August 28, 2008;

WHEREAS, according to the Division's records and the NMLS, David Kravets did not request renewal of his Massachusetts mortgage loan originator license for calendar year 2012 and such license was deemed terminated as of January 1, 2012;

WHEREAS, according to the Division's records and the NMLS, on June 10, 2014, David Kravets re-applied for a Massachusetts mortgage loan originator license and such license was approved on June 25, 2014;

WHEREAS, based upon a review and investigation of information provided to the Division on or about September 2, 2020, David Kravets failed to disclose a material fact(s) in connection with the NMLS in violation of 209 CMR 41.10(13) and 209 CMR 41.10(21);

WHEREAS, 209 CMR 41.04(a) provides that a person shall have failed to demonstrate that he or she is financially responsible when he or she has shown a disregard in the management of his or her own financial condition; and provided further, that a determination that an individual has not shown financial responsibility may include, but shall not be limited to: current outstanding judgments, except judgments solely as a result of medical expenses; current outstanding tax liens or other government liens and filings; foreclosure within the past 3 years; or a pattern of seriously delinquent accounts within the past 3 years.

WHEREAS, David Kravets cooperated with the Division in producing information, responding to questions relevant to the investigation, and conferring with the Division on several dates; and

WHEREAS, the parties now seek to resolve by mutual agreement the matters identified above.

ORDER

NOW COME the parties in the above-captioned matter, the Division and David Kravets, and stipulate and agree as follows:

1. Immediately upon the effective date of this Consent Order, David Kravets will refrain from negotiating, soliciting, arranging, providing, or accepting any Massachusetts residential mortgage loan application, or assisting any consumer in completing such application, or otherwise operate as a mortgage loan originator, as that term is defined under M.G.L. chapter 255F, section 1.

2. Immediately upon the effective date of this Consent Order, the Division will update the license status of David Kravets in Massachusetts in the NMLS to “Terminated – Ordered to Surrender.”

3. David Kravets will refrain from submitting an application for any type of license or registration issued by the Commissioner for a period of three (3) years from the effective date of this Consent Order (the Term).

4. David Kravets is prohibited from taking an ownership position in any entity licensed by the Division and from participating, in any manner, in the responsibilities or duties of a control person of such an entity at any time in the future for a period of three (3) years. For the purposes of this Consent Order, “control” shall be defined as the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise.

5. To the extent that David Kravets wishes to resume or engage in business as a licensed mortgage loan originator at the expiration of the Term, David Kravets shall be required to submit

a completed application to obtain the relevant license from the Commissioner. Further David Kravets shall demonstrate that all outstanding liens on his property have been released and attest that there are no outstanding judgments against him. The Commissioner shall have all of the discretion set forth within M.G.L. chapter 255F, section 4 and the Division's implementing regulation 209 C.M.R. 41.00 *et seq.* in determining whether to issue a license to David Kravets to conduct the licensed business; provided, however, that any such application shall not be denied because David Kravets entered into or agreed to the issuance of this Consent Order.

6. The provisions of this Consent Order shall not limit, estop, or otherwise prevent any other state agency or department from taking any other action affecting David Kravets.

7. In order to provide adequate time for David Kravets to resolve any outstanding matters prior to its execution, this Consent Order shall become effective on December 1, 2020.

8. In accordance with the terms of the Consent Agreement entered by David Kravets and the Commissioner, David Kravets has waived all rights of appeal that he may have relative to this Consent Order or any of its provisions.

9. The provisions of this Consent Order shall remain effective and enforceable except to the extent that, and until such time as, any provisions of this Consent Order shall have been modified, terminated, suspended, or set aside by the Commissioner or upon an order of a court of competent jurisdiction.

10. This Consent Order and the Consent Agreement are the complete documents representing the resolution of this matter. There are no other agreements, promises, representations, or warranties other than those set forth in this Consent Order and the Consent Agreement.

BY ORDER AND DIRECTION OF THE COMMISSIONER OF BANKS:

Dated at Boston, Massachusetts, this 29th day of October, 2020.

By: /s/ Mary L. Gallagher
Commissioner of Banks
Commonwealth of Massachusetts