
 *
IN THE MATTER OF: *
 *
PFN LENDING GROUP, INC. *
d/b/a FIDELITY RESIDENTIAL *
d/b/a FLYNN MORTGAGE GROUP *
d/b/a PRIORITY FINANCIAL NETWORK *
d/b/a SOLVE MORTGAGE *
NMLS # 103098 *
 *
 (“PFN”) *
 *

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

WHEREAS, Section 36a-490(b)(2) of the 2022 Supplement to the General Statutes requires that a mortgage lender licensee file with the Nationwide Multistate Licensing System and Registry (“NMLS”) a change of its legal 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 legal name;

WHEREAS, PFN failed to file with NMLS a change of address of its legal name, previously BM REAL ESTATE SERVICES, INC., at least thirty (30) calendar days prior to such change, and failed to provide 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 PFN, 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, PFN, through its execution of this Consent Order, voluntarily agrees to waive its procedural rights, including a right to a notice and an opportunity for a hearing as it pertains to the allegation set forth herein, voluntarily agrees to consent to the entry of the sanction imposed below and voluntarily waives its right to seek judicial review or otherwise challenge or contest the validity of this Consent Order;

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

AND WHEREAS, PFN herein represents to the Commissioner that it has reviewed and updated its internal policies, procedures and controls to ensure that PFN will file any change it makes to its 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, PFN 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 SANCTION

WHEREAS, PFN, through its execution of this Consent Order, consents to the Commissioner’s entry of a Consent Order imposing the following sanction:

No later than the date this Consent Order is executed by PFN, it shall remit to the Department of Banking by electronic funds 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.

CONSENT ORDER

NOW THEREFORE, the Commissioner enters the following:

1. The Sanction set forth above be and is 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 PFN 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 PFN 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 PFN and reflected herein is subsequently discovered to be untrue;
3. PFN shall not take any action or make or permit to be made any public statement, including in regulatory filings, any proceeding in any forum 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. Except as specifically provided herein, PFN shall not take any position in any proceeding brought by or on behalf of the Commissioner, or to which the Commissioner is a party, that is inconsistent with any part of this Consent Order. Nothing in this provision affects PFN's (i) testimonial obligations; or (ii) right to take any legal or factual position that may contradict an allegation in this Consent Order in litigation or other legal proceedings in which the Commissioner is not a party;
5. Subject to the foregoing, and so long as this Consent Order is promptly disclosed by PFN and its control persons, as applicable, on NMLS, nothing in the issuance of this Consent Order shall adversely affect the ability of PFN 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 and the terms of this Consent Order are followed;
6. This Consent Order shall be binding upon PFN and its successors and assigns; and
7. This Consent Order shall become final when issued.

Issued at Hartford, Connecticut
this 12th day of October 2022.

_____/s/_____
Jorge L. Perez
Banking Commissioner

I, Marc S. Shenkman, state on behalf of PFN Lending Group, Inc., d/b/a Fidelity Residential d/b/a Flynn Mortgage Group d/b/a Priority Financial Network d/b/a Solve Mortgage, 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 PFN Lending Group, Inc., d/b/a Fidelity Residential d/b/a Flynn Mortgage Group d/b/a Priority Financial Network d/b/a Solve Mortgage; that PFN Lending Group Inc., d/b/a Fidelity Residential d/b/a Flynn Mortgage Group d/b/a Priority Financial Network d/b/a Solve Mortgage agrees freely and without threat or coercion of any kind to comply with the sanction entered and terms and conditions ordered herein; and that PFN Lending Group, Inc., d/b/a Fidelity Residential d/b/a Flynn Mortgage Group d/b/a Priority Financial Network d/b/a Solve Mortgage 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: Marc S. Shenkman
Title: CEO
PFN Lending Group, Inc.
d/b/a Fidelity Residential
d/b/a Flynn Mortgage Group
d/b/a Priority Financial Network
d/b/a Solve Mortgage

State of: California

County of: Los Angeles

On this the 29th day of September 2022, before me, Elena Bartel, Notary Public, the undersigned officer, personally appeared Marc S. Shenkman, who acknowledged himself/herself to be the CEO of PFN Lending Group, Inc., d/b/a Fidelity Residential d/b/a Flynn Mortgage Group d/b/a Priority Financial Network d/b/a Solve Mortgage, a corporation, and that he/she as such CEO, 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 CEO.

In witness whereof I hereunto set my hand.

_____/s/_____

Notary Public
Date Commission Expires: 9/22/26