



**State of New Jersey**  
DEPARTMENT OF BANKING AND INSURANCE  
DIVISION OF BANKING  
PO Box 40  
TRENTON, NJ 08625-0040

JAMES E. MCGREEVEY  
*Governor*

HOLLY C. BAKKE  
*Commissioner*

BULLETIN NO. 03-18

TO: All Mortgage Brokers and Bankers

From: H. Robert Tillman, Director, Division of Banking

RE: Advertising Practices

The Department of Banking and Insurance ("Department") has received several complaints concerning marketing materials used by prospective lenders that contain statements referring to a customer's existing mortgagee by actual name (e.g. "ABC Bank, Mortgage Co. or other Lender") in a way that implies: (1) an affiliation between the named mortgagee and the prospective lender associated with the marketing materials, where no affiliation exists; or (2) that the named mortgagee submitted the named customer's existing mortgage to the prospective lender for review, where no such submission occurred.

The Department is issuing this Bulletin to advise lenders that the Department disapproves of these types of statements in advertisements, and that if the Department determines that including such statements in advertisements is deceptive or misleading advertising, as defined in N.J.A.C. 3:2-1.4, the Department will impose penalties as authorized by law, including the issuance of a cease & desist order, and/or license suspension.

8/15/03  
Date

/s/ H. Robert Tillman  
H. Robert Tillman  
Director  
Division of Banking

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