

IN THE MATTER OF:

Proceedings by the Commissioner of Banking
and Insurance, State of New Jersey, to fine Eve
Ackerman; P&B Development Co; H&K
Property Management LLC; Ackerman Real
Estate LLC; and Ackerman Investment Co.
LLC.

CONSENT ORDER

To: Eve Ackerman
782 S Brewster Rd, Suite A6,
Vineland, NJ 08361

Ackerman Real Estate LLC
782 S Brewster Rd, Suite A6,
Vineland, NJ 08361

P&B Development Co.
782 S Brewster Rd, Suite A6,
Vineland, NJ 08361

Ackerman Investment Co. LLC
782 S Brewster Rd, Suite A6,
Vineland, NJ 08361

H&K Property Management LLC
782 S Brewster Rd, Suite A6,
Vineland, NJ 08361

THIS MATTER having been opened by the Commissioner (“Commissioner”) of the New Jersey Department of Banking and Insurance (“Department”), upon information that Eve Ackerman; P&B Development Co.; H&K Property Management LLC; Ackerman Real Estate LLC; and Ackerman Investment Co. LLC (collectively, “Respondents”), may have violated various provisions of the New Jersey Residential Mortgage Lending Act, N.J.S.A. 17:11C-51 to -81 (“RMLA” or “Act”), and the RMLA regulations, N.J.A.C. 3:15-1.1 to -12.4; and

WHEREAS, Respondents were never licensed by the Department as mortgage lenders under the RMLA; and

WHEREAS, Respondents are subject to the provisions of the RMLA; and

WHEREAS, pursuant to N.J.S.A. 17:11C-54(a)(1), no person shall act as a residential mortgage lender or broker without first obtaining a license under the RMLA; and

WHEREAS, pursuant to N.J.S.A. 17:11C-70(a)(3)(a), the Commissioner may impose a penalty pursuant to the Act, if the Commissioner finds, after notice and an opportunity for a hearing, that any person or holder of the license has violated any of the provisions of the RMLA or any order, rule or regulation made or issued pursuant to the RMLA; and

WHEREAS, pursuant to N.J.S.A. 17:11C-70(b)(4), the Commissioner may impose a civil penalty not exceeding \$25,000.00 on any person for a violation of the RMLA; and

WHEREAS, the Commissioner issued Order to Show Cause OCF23-06 on February 14, 2023, alleging the following violations of the Act:

IT APPEARING that Henry Ackerman and his mother Respondent Eve Ackerman are the owners of Respondents P&B Development Co., H&K Property Management LLC, Ackerman Real Estate LLC, and Ackerman Investment Co. LLC (“Corporate Respondents”); and

IT FURTHER APPEARING that from 1977 and until January 2017, Respondent Eve Ackerman issued, serviced and administered residential and commercial mortgage loans to New Jersey residents individually and through the Corporate Respondents; and

IT FURTHER APPEARING that on May 4, 2009, the New Jersey Residential Mortgage Lending Act was enacted which superseded the New Jersey Licensed Lenders Act, N.J.S.A. 17:11C-1 to -49; and

IT FURTHER APPEARING that despite the enactment of the RMLA, Respondents continued to engage in the mortgage lending business and did not apply for a mortgage lender license with the Department; and

IT FURTHER APPEARING that in January 2017, Henry Ackerman took over the mortgage lending business from Respondent Eve Ackerman and continued to issue residential mortgage loans through the Corporate Respondents; and

IT FURTHER APPEARING that in June 2019, Henry Ackerman represented to the Department of Banking and Insurance that Respondents ceased issuing residential mortgage loans in June 2019; and

IT FURTHER APPEARING that in total, in the time period from May 4, 2009, when the RMLA was enacted, and until June 2019, when Respondents ceased issuing residential mortgage loans, Respondents issued at least 39 residential mortgage loans in New Jersey without the necessary mortgage lender license, as follows:

- Eve Ackerman – five mortgage loans without a license;
- P&B Development Co. – three mortgage loans without a license;
- H&K Property Management LLC – one mortgage loan without a license;
- Ackerman Real Estate LLC – twenty-eight mortgage loans without a license;
- Ackerman Investment Co. LLC – two mortgage loans without a license; and

IT FURTHER APPEARING that by issuing residential mortgage loans without a license, Respondents violated N.J.S.A. 17:11C-54(a)(1); and

IT FURTHER APPEARING that each residential mortgage loan issued without a license constitutes a separate violation of the RMLA; and

WHEREAS, Respondents were given notice of the aforesaid allegations and an opportunity to contest them at a hearing; and

WHEREAS Respondents acknowledge and agree to take responsibility for the aforementioned violations of the Act; and

WHEREAS, Respondents and Henry Ackerman state that they were not aware of the licensing and other requirements of the RMLA; and

WHEREAS, Respondents have voluntarily waived their right to a hearing on the matters addressed in this Consent Order; and

WHEREAS, the parties to this Consent Order have determined that this matter is suitable for resolution upon the consent of the parties and that the Respondents and the Department desire to resolve this matter without a hearing or litigation, and for further good cause appearing;

NOW, THEREFORE, IT IS on this 22 day of August, 2023,

IT IS ORDERED AND AGREED that simultaneously with execution of this Consent Order by Respondents, they shall pay a civil penalty in the amount of \$300,000.00 for any activities that gave rise to this Consent Order by certified check, official bank check, or money order made payable to the "State of New Jersey," which shall be sent to counsel for the Department; and

IT IS FURTHER ORDERED AND AGREED that Respondents have voluntarily ceased issuing residential mortgage loans and agree to continue to not issue such loans or engage in the activities that gave rise to this Consent Order, and from any future violations of the Act; and

IT IS FURTHER ORDERED AND AGREED that, within ninety days of the execution of this Consent Order by the Commissioner and Respondents, Respondents shall cease and desist from servicing their existing residential mortgage loans, and Respondents shall thereafter immediately send a confirmation letter to counsel for the Department when the servicing is ceased; and

IT IS FURTHER ORDERED AND AGREED that the provisions of this Consent Order represent a final agency decision and constitute final resolution of the violations contained herein.

A handwritten signature in cursive script that reads "Justin Zimmerman". The signature is written in dark ink and is positioned above a horizontal line.

Justin Zimmerman
Acting Commissioner

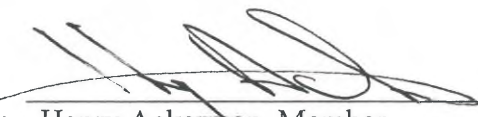
CONSENTED TO AS TO FORM, CONTENT AND ENTRY:

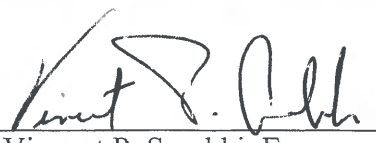

By: Henry Ackerman
(As Power of Attorney for Eve Ackerman)
7-31-23
Dated:

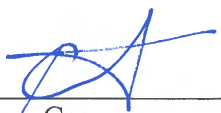

By: Henry Ackerman, Member,
(On behalf of H&K Property Management LLC)
7-31-23
Dated:


By: Henry Ackerman, Member,
(On behalf of Ackerman Real Estate LLC)
7-31-23
Dated:


By: Henry Ackerman
(As Power of Attorney for Eve Ackerman,
President of P&B Development Co.)
7-31-23
Dated:


By: Henry Ackerman, Member,
(On behalf of Ackerman Investment Co. LLC)
7-31-23
Dated:


By: Vincent P. Sarubbi, Esq.
(Counsel for Respondents)
8-7-2023
Dated:


By: Gareh Gazaryan
Deputy Attorney General
(Counsel for NJDOBI)
08/09/2023
Dated: