

IN THE MATTER OF:

_____	)	
Proceedings by the Commissioner of Banking	)	
and Insurance, State of New Jersey, to fine,	)	CONSENT ORDER
suspend and/or revoke the mortgage loan	)	
origination license of James Kim, Jr.,	)	
NMLS ID: 1183881.	)	

TO: James Kim, Jr.
222 Hilcrest Avenue
Wood-Ridge, New Jersey 07075

THIS MATTER having been opened by the Commissioner of the New Jersey Department of Banking and Insurance (“Commissioner”), upon information that James Kim, Jr. (“Respondent”), may have violated various provisions of the Residential Mortgage Lending Act, N.J.S.A. 17:11C-51 to -89 (“Act”); and

WHEREAS, Respondent was licensed as a mortgage loan originator (“MLO”) in New Jersey, under NMLS ID: 1183881, from January 2018 and until December 31, 2021, when his license expired; and

WHEREAS, Respondent is subject to the provisions of the Act; and

WHEREAS, pursuant to N.J.S.A. 17:11C-70(a)(3)(a), the Commissioner may revoke or suspend the license of any mortgage loan originator when the Commissioner finds that the licensee has violated any of the provisions of the Act; and

WHEREAS, N.J.S.A. 17:11C-70(a)(3)(f), the Commissioner may revoke or suspend the license of any mortgage loan originator when the Commissioner finds that the licensee has shown itself untrustworthy or incompetent to act as a mortgage loan originator; and

WHEREAS, pursuant to N.J.S.A. 17:11C-70(a)(3)(g), the Commissioner may revoke or suspend the license of any mortgage loan originator when the Commissioner finds that the

licensee has engaged in any other conduct which would be deemed by the Commissioner to be the cause for denial, revocation, suspension, or refusal of the license or license renewal; 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 this Act, and each violation of this Act shall constitute a separate offense; and

WHEREAS, pursuant to N.J.S.A. 17:11C-70(b)(5), the Commissioner may order that any person who has been found to have knowingly violated any provision of the Act, or of the rules and regulations issued pursuant hereto, and has thereby caused financial harm to consumers, be barred from acting as a residential mortgage lender, residential mortgage broker, or mortgage loan originator, or a stockholder, an officer, director, partner or other owner, or any employee of a licensee, or acting in any other capacity pursuant to the Act; and

WHEREAS, on November 30, 2022, the Commissioner issued Order to Show Cause OCF22-31, alleging the following:

COUNT 1

IT APPEARING that from October 14, 2019 to January 4, 2021, Respondent was employed as an MLO at Princeton Mortgage Corp. ("PMC"); and

IT FURTHER APPEARING that from January 8, 2021 to January 21, 2021, Respondent was employed as an MLO at Absolute Home Loans Corp. ("AHLIC"); and

IT FURTHER APPEARING that while employed at PMC, Respondent defrauded at least twenty-one consumers by charging these consumers illegitimate fees which Respondent falsely stated were required for mortgage origination; and

IT FURTHER APPEARING that, in fact, the charged fees were not related to mortgage origination, and Respondent collected these fees for his personal use and benefit; and

IT FURTHER APPEARING that, while employed at PMC, Respondent collected at least \$52,853.62 from twenty-one consumers in fabricated and illegitimate fees; and

IT FURTHER APPEARING that while employed at AHLC, Respondent defrauded at least seven consumers by charging these consumers illegitimate fees which Respondent falsely stated were required for mortgage origination; and

IT FURTHER APPEARING that in fact the charged fees were not related to mortgage origination, and Respondent collected these fees for his personal use and benefit; and

IT FURTHER APPEARING that, while employed at AHLC, Respondent collected at least \$15,956.83 from seven consumers in fabricated and illegitimate fees; and

IT FURTHER APPEARING that on January 21, 2021, AHLC confronted Respondent with the findings of fraud and terminated his employment; and

IT FURTHER APPEARING that PMC and AHLC provided full restitution to all defrauded consumers; and

IT FURTHER APPEARING that by collecting illegitimate fees from twenty-eight different consumers, Respondent violated N.J.S.A. 17:11C-70(a)(3)(a), (a)(3)(f), and (a)(3)(g); and

IT FURTHER APPEARING that each act of collecting illegitimate fees from consumers constitutes a separate violation of the Act; and

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

WHEREAS, on February 21, 2023, Respondent requested a hearing, and this matter was transmitted to the Office of Administrative Law; and

WHEREAS Respondent admits and agrees to take responsibility for the aforementioned violations of the Act; and

WHEREAS Respondent has waived his right to a hearing on this matter and consents to payment of a penalty in the amount of \$150,000.00; and

WHEREAS this matter should be resolved upon the consent of all parties without resort to a formal hearing; and

WHEREAS good cause exists to impose a civil penalty in this matter; and

NOW, THEREFORE, IT IS on this 11th day of June 2024,

1. IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:11C-70(a)(3), Respondent's expired New Jersey mortgage loan originator license, under NMLS ID: 1183881, is hereby **REVOKED** effective upon the execution of this Final Order by the Commissioner; and

2. IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:11C-70(b)(5), Respondent is hereby barred from acting as a residential mortgage lender, residential mortgage broker, or mortgage loan originator, or a stockholder, an officer, director, partner or other owner, or any employee of a licensee, or acting in any other capacity pursuant to the Act; and

3. IT IS FURTHER ORDERED AND AGREED that Respondent shall pay a civil penalty in the amount of \$150,000.00 for the violations admitted to herein upon the following terms and conditions:

a. Immediately upon execution of this Consent Order by Respondent, Respondent shall remit to the attorney for the Commissioner payment in the amount of \$10,000.00 by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Garen Gazaryan, Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625

b. Defendant shall remit the remaining balance of \$140,000.00 in thirty-six (36) monthly installment payments of \$3,888.88 each, to be paid on or by the first day of each month, beginning June 1, 2024, until the full penalty amount has been paid, by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey

Department of Banking and Insurance" and sent to:

New Jersey Department of Banking and Insurance
Collections Department
20 West State Street, 10th Floor
P.O. Box 325
Trenton, New Jersey 08625

IT IS FURTHER ORDERED, that in the event payment of the penalty is not made in accordance with the schedule above, upon 10-days' notice, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties, in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and

IT IS FURTHER ORDERED, that the civil penalty in this Final Order is imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, shall be docketed as a statewide lien until paid in full, and is not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

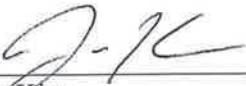
IT IS FURTHER ORDERED AND AGREED that Respondent shall cease and desist from engaging in the conduct that gave rise to this Consent Order, and from any other violations of the Act; and

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.



Justin Zimmerman
Acting Commissioner

CONSENTED TO AS TO FORM, CONTENT AND ENTRY:



James Kim
(Respondent)

Date: 3/15/24

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Counsel for NJDOBI



By: Garen Gazaryan
Deputy Attorney General

Date: 05/13/2024