

**State of New Hampshire**  
**Banking Department**

<b>In re:</b>	)	<b>Case Nos.: 12-283</b>
	)	
<b>State of New Hampshire Banking</b>	)	
	)	
<b>Department,</b>	)	<b>Consent Order</b>
	)	
<b>        Petitioner,</b>	)	
	)	
<b>        and</b>	)	
	)	
<b>EOS Financial Group LLC, Chadi Mekhael</b>	)	
	)	
<b>and Wayne Feugill,</b>	)	
	)	
<b>        Respondents</b>	)	
	)	

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The State of New Hampshire Banking Department, acting in agreement with the respondents, EOS Financial Group, LLC, Chadi Mekhael, owner and manager of EOS Financial Group, LLC., and Wayne Feugill, owner and manager of EOS Financial Group, LLC, finds and orders as follows:

**JURISDICTION**

The Department licenses and regulates persons “engage[d] in the business of offering, originating, making, funding, or brokering mortgage loans from the state of New Hampshire or mortgage loans secured by real property located in the state of New Hampshire.” RSA 397-A:2. The Bank Commissioner “may by order . . . assess penalties . . . if it is in the public interest and the applicant, respondent, or licensee . . . [h]as violated any provision of [RSA Chapter 397-A].” RSA 397-A:17, I.

## **BACKGROUND**

On October 25, 2012, the Department issued an Order to Show Cause against the respondents. The Order to Show Cause alleged that the respondents had: (1) violated RSA 397-A:10-a, I when they did not properly surrender EOS Financial Group, LLC's mortgage broker license; and (2) violated RSA 397-A:13, I when respondents failed to file a 2011 annual report with the Department. The Order to Show Cause further directed the respondents to show cause why the Commissioner should not order the respondents to pay administrative fines totaling \$15,000.

The Order to Show Cause included a Notice of Right to a Hearing, which explained that “[i]f the respondents fail ‘to request a hearing within 30 calendar days of receipt or valid delivery of [this Order to Show Cause] . . . such person shall be deemed in default and the proceeding may be decided against the person . . . .’” The respondents received the Order to Show Cause on October 30, 2012.

During November and December 2012, Respondents have communicated with the Department and provided reasonable explanations regarding their failure to file the surrender paperwork. Respondents have also filed the appropriate annual report for 2011. The Department and Respondents entered into negotiations to settle this matter amicably with the cooperation of all parties. The parties reached the following resolution of this matter in its entirety.

## **CONSENT AND ACKNOWLEDGMENTS**

1. The respondents have voluntarily entered into this Consent Order without reliance upon any discussions between the Department and the respondents, without the promise of a benefit of any kind (other than the concessions contained in this Consent Order), and without threats, force, intimidation, or coercion of any kind.

2. The respondents acknowledge their understanding of the nature of the allegations set forth in this proceeding, including the potential penalties provided by law.
3. The respondents acknowledge, understand, and agree that they have the right to notice, hearing, civil action, and/or appeal, and hereby waive those rights.
4. The respondents represent and warrant that they have all the necessary rights, powers, and ability to carry out all of the terms of this Consent Order that are applicable to the respondents.
5. The Department acknowledges that the allegations in the October 25, 2012 Order to Show Cause do not involve unfair or deceptive acts or practices by Respondents.
6. The respondents acknowledge that the Department is relying upon the respondents' representations and warranties stated herein in making its determination in this matter.

#### **ORDER**

Pursuant to RSA 397-A:20, the Commissioner finds this Consent Order necessary or appropriate to the public interest and consistent with the purposes fairly intended by the policy and provisions of this title. Accordingly, the Commissioner orders as follows:

1. The respondents shall pay the Department \$1,000. This amount represents an administrative penalty for failure to file an annual report in a timely manner.
2. Administrative penalties totaling \$4,000 shall be held in abeyance for four (4) years as long as Respondents do not conduct mortgage banker or broker activity or mortgage servicer activity in New Hampshire without a license, and shall be dismissed after said four (4) years.
3. The remainder of the administrative penalty is dismissed.

4. All checks shall be bank check or guaranteed funds made payable to the “State of New Hampshire.”
5. The respondents are jointly and severally liable for the amount owed to the Department.
6. If the Department finds that the respondents knowingly or willfully withheld information used and relied upon in this Consent Order, the Department may revoke this Consent Order and the Department may pursue any and all remedies available under law.
7. This Consent Order is binding on all heirs, assigns, and/or successors in interest.

Recommended by:

1/22/13  
Date

/s/  
Ingrid E. White  
General Counsel  
Bar #14622  
State of New Hampshire  
Banking Department

Executed by:

12/15/12  
Date

/s/  
Chadi Mekhael, Manager and Owner  
EOS Financial Group, LLC

12/15/12  
Date

/s/  
Wayne Feugill, Manager and Owner  
EOS Financial Group LLC

SO ORDERED.

1/23/13  
Date

/s/

Ronald A. Wilbur  
Bank Commissioner