

In re the Matter of:)	Case No.: 12-283
)	
State of New Hampshire Banking)	
)	
Department,)	
)	
Petitioner,)	Order to Show Cause
)	
and)	
)	
EOS Financial Group LLC, Chadi)	
)	
Mekhail, and Wayne Feugill,)	
)	
Respondents)	

NOTICE OF ORDER TO SHOW CAUSE ("ORDER")

1. This Order commences an adjudicative proceeding under the provisions of RSA Chapter 397-A (including RSA 397-A:17,I and II, and RSA 397-A:20,IV) and RSA Chapter 541-A.
2. The Commissioner may impose administrative penalties of up to \$2,500.00 for each violation. RSA 397-A:21,IV and V.

RESPONDENTS

3. EOS Financial Group LLC ("Respondent EOS") was a limited liability company duly registered in the State of New Hampshire on October 15, 2008, with the most recent principal office location in Woburn, Massachusetts. Respondent EOS registered with the Massachusetts Secretary of State on October 30, 2009. Respondent EOS was a licensed Mortgage Broker with the

- New Hampshire Banking Department ("Department") from June 21, 2010 until its license expired on December 31, 2011. Respondent EOS is a "Person." RSA 397-A:1,XVIII.
4. Chadi Mekhail ("Respondent Mekhail") was the 50% owner and Manager of Respondent EOS. Respondent Mekhail was a Control person (RSA 397-A:21,V-a), a Principal (RSA 397-A:1,XIX), a Direct Owner (RSA 397-A:1 VI-a), and a Person (RSA 397-A:1,XVIII).
 5. Wayne Feugill ("Respondent Feugill") was the 50% owner and Manager of Respondent EOS. Respondent Feugill was a Control person (RSA 397-A:21,V-a), a Principal (RSA 397-A:1,XIX), a Direct Owner (RSA 397-A:1 VI-a), and a Person (RSA 397-A:1,XVIII).
 6. The above-named Respondents are hereinafter collectively known as "Respondents."

RIGHT TO REQUEST A HEARING

7. Respondents have a right to request a hearing on this Order. A hearing shall be held not later than ten (10) days after the Commissioner receives the Respondent's written request for a hearing. Respondents may request a hearing and waive the ten (10) day hearing requirement. The hearing shall comply with RSA Chapter 541-A. RSA 397-A:17.

8. If any person fails to request a hearing within thirty (30) days of receiving this Order, then such person shall be deemed in default, and the Order shall, on the thirty-first (31st) day, become permanent, all allegations may be deemed true, and shall remain in full force and effect until modified or vacated by the Commissioner for good cause shown. RSA 397-A:17,I.
9. A default may result in administrative fines as described in Paragraph 2 above.

STATEMENT OF ALLEGATIONS

10. On December 31, 2011, EOS Financial Group LLC's New Hampshire Mortgage Broker license expired.
11. On January 19, 2012, the Department's Licensing Division sent correspondence to Respondent EOS regarding the license expiration process (completion of license expiration form, publication and filing the annual report).
12. On March 5, 2012, the Department sent a reminder letter via U.S. Certified Mail regarding the license expiration process. On March 19, 2012, the correspondence was returned to the Department as "unable to forward."
13. On March 19, 2012 and on March 23, 2012, the Department's Licensing Division left voicemail

messages for Respondent Feugill on his personal cell phone.

14. On March 26, 2012, Respondent Feugill called and spoke with Licensing Division personnel and indicated he was working on sending the documents and updating information on the Nationwide Mortgage Licensing System & Registry ("NMLS").
15. To date, the Respondents have failed to respond.
16. Respondent EOS has failed to file the annual report with the Department by April 2, 2012, in violation of RSA 397-A:13,I.
17. Respondents failed to properly surrender EOS Financial Group LLC's New Hampshire Mortgage Broker license, in violation of RSA 397-A:10-a,I.

Respectfully submitted by:

_____/s/_____
Maryam Torben Desfosses
Hearings Examiner

Dated: 10/23/12

ORDER

18. **I hereby find as follows:**
 - a. Pursuant to RSA 397-A:17,I, the facts as alleged above, if true, show Respondents are operating or have operated in violation of RSA Chapter 397-A and form the legal basis for this Order;

- b. Pursuant to 397-A:20,VI, this Order is necessary and appropriate to the public interest and for the protection of consumers and consistent with the purpose and intent of New Hampshire banking laws;
- c. Pursuant to RSA 397-A:17,I, if any Respondent fails to respond to this Order and/or defaults then all facts as alleged herein are deemed as true.

19. **Accordingly, it is hereby ORDERED that:**

- a. Respondents shall show cause why an administrative fine of up to a maximum of \$2,500.00 per violation (as indicated in Counts below) should not be imposed as follows:

(1). Respondent EOS:

Violation #1: Failure to Properly Surrender Mortgage Broker license (RSA 397-A:10-a,I) - 1 Count;

Violation #2: Failure to File the Annual Report (RSA 397-A:13,I) - 1 Count;

(2). Respondent Mekhail (as Control Person, Direct Owner, and Principal):

Violation #1: Failure to Properly Surrender Mortgage Broker license (RSA 397-A:10-a,I) -

