

STATE OF NEBRASKA



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DEPARTMENT OF BANKING AND FINANCE

John Munn

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FOR IMMEDIATE RELEASE

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Omaha-based Performance Lending Group Denied License and Ordered to Cease Doing Business with Nebraskans

The Nebraska Department of Banking and Finance (NDBF) issued three orders against Performance Lending Group, LLC, of 11414 W. Center Road, Ste. 233, Omaha, Richard S. Heckendorn, its president, and all other officers, directors, employees and agents. The first order denied its mortgage banker license application, the second ordered Performance Lending to cease and desist doing unlicensed business with Nebraskans, and the final order requires its representatives attend a hearing to show cause why they should not be fined.

Performance Lending was originally licensed as a branch of Mortgage Express. Mortgage Express, based in LaVista, NE, had many branches throughout the state, some of which conducted business under trade names. In 2004, the Department changed its policies to allow licensees to use only one trade name, rather than have multiple locations with different names. This requirement was designed to insure that consumers knew which company they were actually doing business with when they applied for a loan from a mortgage banker.

In Jan. 2005, Mortgage Express renewed its mortgage banker license as required by law. Mortgage Express did not list Performance Lending as a trade name, nor did it list Performance Lending's Omaha address as a branch at which it was conducting business.

In July 2005, the Department received an application for a mortgage banker license from Performance Lending Group, LLC. This application listed the Omaha address that had been listed by Mortgage Express as a branch on previous applications. During its investigation, NDBF discovered that Performance Lending was already operating its Omaha office as well as branches in Grand Island and Fremont without the required license.

A hearing for the Order to Show Cause has been set for Jan. 26, 10 a.m., in the Wells Fargo Center, 1248 'O' St., Ste. 571, Lincoln. If Performance Lending requests hearings for the Order of Denial of Mortgage Banker License Application and the Order to Cease and Desist they will likely be held the same day. Hearings are open to the public. Any person who has done business with Performance Lending is encouraged to contact NDBF at (402)471-2171.

The Department offers a search engine at its site, www.ndbf.org, which allows anyone to search for information about the current status of financial institutions doing business in the State. The site also offers links for Nebraskans to submit complaints or questions about banking, finance and securities. If you have questions about this issue or any investing or banking matters please call the NDBF Consumer Hotline toll free at (877) 471-3445, or visit online.

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