**Section 100.10 Definitions**

The following words and phrases have the meanings ascribed to them in this Section unless the context clearly requires otherwise:

"Applicable Act" means the Residential Mortgage License Act of 1987 [205 ILCS 635], the Student Loan Servicing Rights Act [110 ILCS 992], the Illinois Banking Act [205 ILCS 5], the Electronic Fund Transfer Act [205 ILCS 616], the Corporate Fiduciary Act [205 ILCS 620], the Illinois Bank Holding Company Act of 1957 [205 ILCS 10], the Foreign Bank Representative Office Act [205 ILCS 650], the Pawnbroker Regulation Act [205 ILCS 510], the Foreign Banking Office Act [205 ILCS 645], the Savings Bank Act [205 ILCS 205], the Illinois Credit Union Act [205 ILCS 305], the Financial Institutions Code [20 ILCS 1205], the Title Insurance Act [215 ILCS 155], the Currency Exchange Act [205 ILCS 405], the Transmitters of Money Act [205 ILCS 657], the Illinois Development Credit Corporation Act [805 ILCS 35], the Illinois Financial Services Development Act [205 ILCS 675], the Consumer Installment Loan Act [205 ILCS 670], the Payday Loan Reform Act [815 ILCS 122], the Sales Finance Agency Act [205 ILCS 660], the Debt Management Services Act [205 ILCS 665], the Debt Settlement Consumer Protection Act [225 ILCS 429], the Safety Deposit License Act [240 ILCS 5], the Interest Act [815 ILCS 205], and any other statute under the jurisdiction of the Director.

"Administrative Decision" means an order, fine, revocation or suspension of licensure, or other regulatory action of the Director pursuant to an Applicable Act.

"Administrative Law Judge" or "ALJ" means an attorney licensed to practice law in the State of Illinois who has been designated by the Director to conduct any Hearings. For these purposes, "Administrative Law Judge" has the same meaning as "Hearing Officer."

"Applicant" means a Party seeking a license, charter, certificate, permit, or similar permission pursuant to an Applicable Act.

"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director or Acting Director of the Division, with the authority delegated by the Secretary, or any person employed by or on behalf of the Department to whom the Director has delegated verbally or in writing authority to act on the Director's behalf.

"Division" means the Division of Banking or the Division of Financial Institutions within the Department, as the context indicates.

"Formal Hearing" means a formal proceeding that is conducted on the record before an Administrative Law Judge during which the Parties present evidence and make arguments regarding appropriate action on a contested matter.

"Hearing" means any hearing authorized to be held before an Administrative Law Judge, the Director, or the Secretary.

"Licensee" means a person or entity licensed by the Division.

"NMLS" shall mean the Nationwide Multistate Licensing System and Registry.

"Party" shall include, but not be limited to, Licensees, Applicants, and Unlicensed Persons, whether they are natural persons, corporations, partnerships, associations, cooperatives, trusts or other legal entities, and the Department.

"Petitioner" is a Party who, by written petition, seeks relief or licensure under an Applicable Act or an Administrative Decision of the Secretary or Director pursuant to an Applicable Act.

"Preliminary Hearing" means a proceeding that before an Administrative Law Judge during which the ALJ sets a date on which all Parties expect to be prepared to proceed with their cases and the ALJ rules on any preliminary motions that are presented.

"Recordkeeper" means the persons or units designated by the Secretary or Director to receive filings.

"Secretary" means the Secretary or Acting Secretary of the Department of Financial and Professional Regulation or any person employed by or on behalf of the Department to whom the Secretary has delegated verbally or in writing authority to act on the Secretary's behalf.

"Unlicensed Person" means any person who is not a Licensee and who is not an Applicant.