

Statement of Mitigation

Respondents admit that they inadvertently and unintentionally made a banking error through their online banking bill pay system and mistakenly used the security deposit trust account (Account #2) to pay operating expenses of the business. The actual shortfall in Account #2 was \$7,122.76 and which was replaced prior to the Department's audit. The remaining balance, which was being held in other trust accounts, was also transferred to Account #2 prior to the Department's audit. Since that time, Respondents have made changes to their online banking system to disconnect the trust account from bill pay features which should prevent this error from occurring in the future. In mitigation, Respondent HORNEFF-COHEN was experiencing a series of serious personal tragedies during this period and as such this mistake would not likely have occurred otherwise.