

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Bilal Ali Hamie aka Bill Hamie
NMLS No. 190202,

Enforcement Case No. 16-12928

Applicant.

_____ /

Issued and entered,
this 19th day of April, 2016
by Rhonda J. Fossitt,
Senior Deputy Director

ORDER OF DENIAL
OF MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION

I.
STATEMENT OF LAW

1. The Director of the Department of Insurance and Financial Services (DIFS) regulates and licenses Mortgage Loan Originators in Michigan pursuant to the Mortgage Loan Originator Licensing Act, 2009 P.A. 75, as amended, MCL 493.131 *et seq.* (the Act).
2. Section 25(1)(b) of the Act provides the Director with the authority to deny an application for a mortgage loan originator license, if the applicant withholds information in an application for a license. MCL 493.155(1)(b).
3. Section 9(1)(d) of the Act prohibits the Director from issuing a license unless the Director finds that, “[t]he applicant has demonstrated financial responsibility, character, and general fitness that commands the confidence of the community and warrants a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of this act.” MCL 493.139(1)(d).
4. Section 33(1)(a) of the Act empowers the Director to investigate an applicant for licensing to determine compliance with the Act. MCL 493.163(1)(a).

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. On or about May 11, 2015, DIFS received a mortgage loan originator (MLO) application in the name of Mr. Bill Hamie whose birth name is Bilal Ali Hamie (Applicant), Nationwide Mortgage Licensing System (NMLS) No. 190202, for a license to originate mortgage loans under the Act. Applicant was subsequently required by DIFS Staff to change his alias name, which was used on the application to his legal name of Bilal Ali Hamie.
2. On October 12, 2015, the MLO application submitted May 11, 2015 was denied (enforcement case number 15-12658) for having failed to demonstrate the financial responsibility, character and general fitness that commands the confidence of the community. Applicant did not appeal.
3. On or about November 19, 2015, DIFS received a second MLO application in the name of "Bilal Ali Hamie," NMLS No. 190202, for a license to originate mortgage loans under the Act.
4. Pursuant to Section 33(1)(a) of the Act, MCL 493.163(1)(a), DIFS' Consumer Finance Section conducted a background investigation of Applicant to determine whether Applicant satisfies the conditions of Section 9(1) of the Act, MCL 493.139(1).
5. The background investigation conducted pursuant to the November 19, 2015, MLO application, revealed the following:
 - a. The Applicant, upon completing the MU4 Form, the Uniform Individual Mortgage License/Registration Consent Form's Regulatory Action Disclosure Questionnaire, responded "Yes" and "No" respectively to the following questions¹ on the application:

Termination Disclosure

(Q) Have you voluntarily resigned, been discharged, or permitted to resign after allegations were made that accused you of:

(1) Violating statute(s), regulation(s), rule(s), or industry standards of conduct? Yes.

(2) Fraud, dishonesty, theft, or the wrongful taking of property? No.

¹ Applicant answered "No" to both Termination Disclosure questions [(Q)1) and (Q)(2)] on his May 11, 2015, mortgage loan application. This was disclosed in the Enforcement Case 15-12658 Denial Order signed October 12, 2015 by Senior Deputy Director Rhonda J. Fossett.

- b. In 2006, the Office of Financial and Insurance Regulation² received a complaint from Michigan Mortgage Group (MMG) alleging that the Applicant forged the signature of his employer in order to complete a mortgage transaction. DIFS records contain a letter from counsel for MMG dated June 26, 2006. According to the letter, Applicant was terminated from MMG for fraudulently signing an individual's name to a Uniform Residential Loan Application (Fannie Mae Form 1003) during a mortgage closing transaction, without authorization or notification by the individual.
 - c. The letter further stated that Applicant's impropriety was identified during an audit performed by MMG, and the act of fraud constituted a significant infraction and provided a basis for immediate termination. Applicant was terminated from MMG on June 26, 2006. Consequently, Applicant should have answered "yes" to the termination disclosure questions on the MU4 Form.
 - d. DIFS' investigation into the 2006 complaint revealed the following:
 - i) Applicant, without the knowledge of his employer, MMG, closed the sale of two properties totaling \$309,544.66.
 - ii) Applicant, without knowledge of his employer, MMG, obtained the closing packages from America Premier including checks payable to MMG totaling \$6,837.53.
 - iii) Applicant, without the knowledge of his employer, MMG, deposited the checks into a Charter One bank account belonging to A&Z Investment, Inc. (A&Z Investment). Applicant was an incorporator and a shareholder of A&Z Investment. According to MMG, it did not authorize Applicant to collect and deposit said checks into the A&Z Investment bank account.
6. Applicant attested that the information contained in his May and November 2015 MLO Form MU4 license applications, including information that accompanied the applications, was current, true, accurate and complete and his statements were made under penalty of perjury, or unsworn falsification to authorities, or similar provision of law.
7. Applicant knew or should have known that he was required to answer "Yes" to the questions in paragraph 5(a) above on the May 2015 MU4. Applicant failed to disclose that he was terminated due to allegations accusing him of fraud, dishonesty, theft, or the wrongful taking of property. The attestation section of the application also advised Applicant that, "If an applicant made a false statement of a material fact in this application or in any documentation provided to support the foregoing application, then the foregoing application may be denied."

² Effective March 18, 2013, all authority, duties, powers, functions and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (OFIR) transferred to the Director of the Department of Insurance and Financial Services (DIFS) pursuant to Executive Order 2013-1.

8. Applicant knew or should have known that he was required to answer "Yes" to question (Q)(2) in paragraph 5(a) above on the November 2015 MU4. Applicant failed to disclose that he was terminated due to allegations accusing him of fraud, dishonesty, theft, or the wrongful taking of property. The attestation section of the application also advised Applicant that, "If an applicant made a false statement of a material fact in this application or in any documentation provided to support the foregoing application, then the foregoing application may be denied."
9. Based on the foregoing facts and the DIFS record compiled as part of its investigatory function, the Director finds and concludes that Applicant's failure to disclose his termination due to allegations accusing him of fraud, dishonesty, theft, or the wrongful taking of property, indicates that Applicant has not demonstrated the financial responsibility, character and general fitness that commands the confidence of the community and does not warrant a determination that Applicant will operate honestly, fairly and efficiently as required to satisfy Section 9(1)(d) of the Act, MCL 493.139(1)(d).
10. Based on the foregoing facts, the Director finds and concludes that Applicant has failed to meet the minimum licensing requirements of Section 9(1) of the Act, MCL 493.139(1), and is therefore ineligible for licensure under the Act.

III. ORDER

Based on the Statement of Law, Findings of Fact, and Conclusions of Law above, it is **ORDERED** that:

1. The application of Bilal Ali Hamie aka Bill Hamie for licensure as a Mortgage Loan Originator under the Act shall be and hereby is DENIED.
2. Bilal Ali Hamie aka Bill Hamie shall immediately cease and desist from conducting any activities that require licensure under the Act.

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES



Rhonda J. Fossitt
Senior Deputy Director

Dated: April 19, 2016

**IV.
APPEAL**

This Order of Denial is an administrative order subject to judicial review pursuant to the Michigan Constitution, MCL Const. Art. 6, § 28, and subject to the Revised Judicature Act, MCL 600.631.