

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

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Center for Community Justice and Advocacy
615 Griswold Street, Suite 916
Detroit, Michigan 48226,

Enforcement Case No. 14-12148

Applicant.

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**Issued and entered,
on September 3, 2014,
by Rhonda J. Fossitt,
Senior Deputy Director**

DIRECTOR'S ORDER GRANTING EXEMPTION UNDER MCL 445.1675a

On March 18, 2013, the Governor, by Executive Order 2013-1, transferred the authority, powers, duties, functions, and responsibilities of the Commissioner of Financial and Insurance Regulation to the Director of the Department of Insurance and Financial Services (Director).

The Director having been statutorily charged with the responsibility and authority to administer and implement the Mortgage Brokers, Lenders, and Servicers Licensing Act (the Act), 1987 P.A. 173, as amended, MCL 445.1651 *et seq.*, pursuant to provisions therein; and,

The Director having been granted general supervisory power and control over all mortgage brokers, mortgage lenders, and mortgage servicers doing business in the state of Michigan under the provisions of the Act; and,

The Director having been vested with broad discretion in granting licenses and determining the suitability of applicants for licensure under the Act; and,

The legislature having vested in the Director the authority and discretion to grant an exemption from the licensing requirements of the Act to a person that the Director believes merits the confidence of the community and meets certain requirements set forth in Section 25a(1)(a)-(i) of the Act, MCL 445.1675a(1)(a)-(i); and,

Center for Community Justice and Advocacy (hereinafter, the Applicant) having made written application to the Director requesting an exemption under Section 25a of the Act; and,

The Director's staff having, accordingly, conducted a full and complete review and investigation of the Applicant's application for exemption; and,

The Director's staff having made the following determinations and conclusions from its review and investigation of the Applicant's application for exemption:

- (a) The Applicant merits the confidence of the community;
- (b) The Applicant is exempt from federal income taxes under section 501(c) of the Internal Revenue Code of 1986;
- (c) The Applicant administers a mortgage loan program funded or sponsored by one or more depository financial institutions, state or federal governmental entities, or charitable, religious, or other nonprofit organizations;
- (d) The Applicant's mortgage loan program is targeted exclusively to persons who would not otherwise have access to affordable mortgage loans from traditional mortgage lending sources;
- (e) The Applicant's housing development efforts have the support of the agency of its local governmental jurisdiction responsible for community development;
- (f) The Applicant's mortgage lending activity is limited to a defined geographic area in this state, not larger than a county in the case of a metropolitan statistical area;
- (g) The Applicant has the capacity to accomplish its business plan;
- (h) The Applicant does not directly or indirectly share with another person any portion of fees paid to the organization in connection with a mortgage loan;
- (i) The Applicant will comply with state and federal law and with the spirit and intent of section 22a of the Act;
- (j) The Applicant intends to service mortgage loans, and has complied with items (a) through (i) above, and the Director determines the exemption is in the public interest; and,

The Director's staff having further determined and concluded from its review and investigation of the Applicant's application for exemption, that it is in the public interest that the Applicant be granted an exemption from the Mortgage Brokers, Lenders, and Servicers Licensing Act requirements, subject to certain conditions; and,

The Director's staff having recommended to the Director that she grant the Applicant's request for an exemption from the Mortgage Brokers, Lenders, and Servicers Licensing Act requirements, subject to the following conditions:

- (a) The Applicant will comply with the requirements set forth in Section 23 of the Act, MCL 445.1673;
- (b) The Applicant will be subject to an examination of its books and records once during every twenty-four month period. Notwithstanding the foregoing, the Director may examine the books and records more often if the Director determines further oversight necessary and appropriate. The Applicant will pay the actual travel, lodging, and meal expenses incurred by the Director's staff who travels to examine its books and records;
- (c) The Applicant will annually file a report of its brokering, lending, and servicing activity with the Director. The report will be in a form approved by the Director and provide information concerning the Applicant's business operations during the immediately preceding year; and

- (d) If the Applicant ceases to meet any one of the requirements set forth in Section 25a(1)(a)-(h) of the Act, it will immediately provide written notification to the Director;

And the Director being fully advised in the premises,

NOW, THEREFORE, IT IS ORDERED that the Applicant's request for exemption from the mortgage broker, lender, and servicer licensing requirements of the Act shall be and hereby is granted, subject to the following conditions:

- (a) The Applicant shall comply with the requirements set forth in Section 23 of the Act, MCL 445.1673;
- (b) The Applicant shall be subject to an examination of its books and records once during every twenty-four month period. Notwithstanding the foregoing, the Director may examine the books and records more often if the Director determines further oversight necessary and appropriate. The Applicant shall pay the actual travel, lodging, and meal expenses incurred by the Director's staff that travels to examine its books and records;
- (c) The Applicant shall annually file a report of its brokering, lending, and servicing activity with the Director. The report shall be in a form approved by the Director and provide information concerning the Applicant's business operations during the immediately preceding year;
- (d) If the Applicant ceases to meet any one of the requirements set forth in Section 25a(1)(a)-(h) of the Act, it shall immediately provide written notification to the Director.

IT IS SO ORDERED.



Rhonda J. Fossitt,
Senior Deputy Director

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DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

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Applicant.

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VOLUNTARY CONSENT TO ENTRY OF
DIRECTOR'S ORDER

I, Kimberly Boyd-Harris, as EXECUTIVE DIRECTOR of Center for Community Justice and Advocacy, acting on behalf of Center for Community Justice and Advocacy, hereby voluntarily consent to the entry of the attached Director's Order in this matter and agree to the terms and conditions set forth therein, and further, in consideration of the terms and conditions set forth therein, also voluntarily waive and give up any and all right that Center for Community Justice and Advocacy may now or hereafter have to administrative or judicial review concerning entry of the attached Director's Order in this matter.

8/19/2014
Dated

Kimberly Boyd-Harris
Center for Community Justice and Advocacy
By: Kimberly Boyd-Harris
Its: EXECUTIVE DIRECTOR

Subscribed and sworn to before me on this 19th day of August, 2014.

D. Johnson-Flowers
_____, Notary Public
State of Michigan, County of Wayne
My commission expires 5/15/2018

D. Johnson-Flowers
Notary Public, County of Wayne
State of Michigan
My Commission Expires May 15, 2018