

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of the Office of Financial and Insurance Services

In the Matter of:)	
)	
)	Enforcement Case No. 06-4821
Peter Gutkowski.)	
)	

Issued and Entered,
This 15th day of 2007,
By Richard D. Lavolette
Chief Deputy Commissioner

CONSENT ORDER OF PROHIBITION PURSUANT TO SECTION 18a OF THE
MORTGAGE BROKERS, LENDERS AND SERVICERS LICENSING ACT

WHEREAS, based upon information derived from the exercise of its regulatory responsibilities pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act (“MBLSLA”), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, and a thorough review of pertinent mortgage documents obtained therewith, the Office of Financial and Insurance Services (“OFIS”) has good cause and reason to believe that, PETER GUTKOWSKI (“GUTKOWSKI”), has engaged in fraud and that there are, therefore, grounds to initiate an administrative prohibition proceeding against him, pursuant to MCL 445.1668a; and,

WHEREAS, the OFIS has served a notice of the charges upon GUTKOWSKI; and,

WHEREAS, GUTKOWSKI desires to cooperate with the OFIS and to avoid the time and expense of such administrative prohibition proceeding; and,

WHEREAS, by affixing his signature to the attached VOLUNTARY CONSENT TO ENTRY OF CHIEF DEPUTY COMMISSIONER'S ORDER OF PROHIBITION, incorporated herein by this reference, GUTKOWSKI has consented, without adjudication of the merits and without admitting that such grounds exist, to the issuance of this CONSENT ORDER OF PROHIBITION ("Order") by the chief deputy commissioner of the OFIS with the intent to be legally bound hereby, and has agreed to comply with each and every provision of this Order, and has waived and relinquished any and all rights he may now or hereafter have to (a) a hearing pursuant to MCL 445.1668a(2) for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (b) obtain judicial review of this Order or any provision hereof, including, without limitation, any such right provided by MCL 24.301 or otherwise; and (c) challenge or contest in any matter the basis, issuance, validity, effectiveness, collectibility or enforceability of this Order or any provision hereof

NOW, THEREFORE, prior to taking any testimony or adjudication of or finding on any issue of fact or law herein, and without this Order constituting an admission by GUTKOWSKI of any allegation made or implied by the OFIS in connection with this proceeding, and solely for the purposes of settlement of this proceeding without protracted or extended hearing or testimony:

IT IS HEREBY ORDERED, pursuant to Section 18a of the MBLSLA, MCL 445.1668a, that:

1. GUTKOWSKI is hereby and henceforth prohibited from being employed

by, an agent of, or control person of a licensee or registrant under the Mortgage Brokers, Lenders, and Servicers Licensing Act (“MBLSLA”), 1987 P A 173, as amended, MCL 445.1651 *et seq.*, or a licensee or registrant under a financial licensing act.

2. Any violation of this Order shall separately subject GUTKOWSKI to appropriate criminal penalties under Section 18d of the MBLSLA, MCL 445.1668d.

3. GUTKOWSKI shall promptly respond to any request from the OFIS for documents, testimony, and other requests for information that the OFIS requests to demonstrate to the satisfaction of the commissioner that GUTKOWSKI is in full compliance with this Order.

4. This Order is for the purpose of resolving this OFIS enforcement matter only, and does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any other actions, charges against, or liability of GUTKOWSKI that may hereafter arise pursuant to this action, or that may be or have been brought by any other governmental entity based upon the underlying facts and circumstances hereof.

5. This Order shall be and is effective and enforceable on the date it is issued, as shown in the caption hereof.

6. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended in writing by the commissioner.

IT IS ORDERED:

**OFFICE OF FINANCIAL AND
INSURANCE SERVICES**

A handwritten signature in black ink, appearing to read "R. D. Lavolette", with a long horizontal flourish extending to the right.

By: _____
Richard D. Lavolette,
Chief Deputy Commissioner