

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

**Before the Director of the Department of Insurance and Financial Services**

In the matter of:

**Department of Insurance and Financial Services**

**Enforcement Case No. 14-12229**

Petitioner,

v

**Rafael Golden**

Respondent.

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**Issued and entered  
on April 1, 2016  
By Rhonda J. Fossitt  
Senior Deputy Director**

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

**WHEREAS**, pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation have been transferred to the Director of the Department of Insurance and Financial Services (DIFS); and,

**WHEREAS**, the Director of DIFS (Director) is statutorily charged with the responsibility and authority to administer and implement the Mortgage Brokers, Lenders, and Servicers Licensing Act (Act), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, pursuant to provisions therein; and,

**WHEREAS**, Section 18a(1) of the Act, MCL 445.1668a(1) provides for the prohibition of a person that has engaged in fraud from being employed by, an agent of, or control person of

any licensee or registrant under the Act or a licensee or registrant under a financial licensing act;  
and,

**WHEREAS**, Section 18a(5), MCL 445.1668a(5) of the Act provides that a person subject to an Order issued thereunder, may apply to the Director to terminate the Order after five years from the date of the Order; and,

**WHEREAS**, based upon information derived from the exercise of its regulatory responsibilities and a thorough review of pertinent mortgage documents obtained therewith, DIFS has good cause and reason to believe that Rafael Golden (GOLDEN), former employee and loan officer of William Proctor dba Orion Financial, a company licensed by DIFS pursuant to the Act, 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**, on January 28, 2015 DIFS issued a NOTICE OF INTENTION TO PROHIBIT, STATEMENT OF FACTUAL ALLEGATIONS, ORDER FOR HEARING, and NOTICE OF HEARING alleging GOLDEN engaged in fraudulent activities in connection with residential mortgage loan applications with the intent to defraud investors and/or third parties;  
and,

**WHEREAS**, GOLDEN appealed the NOTICE OF INTENTION TO PROHIBIT and a hearing was scheduled; and,

**WHEREAS**, DIFS staff and GOLDEN have discussed the facts, circumstances, and allegations surrounding this matter and GOLDEN expressed his desire to cooperate with DIFS 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 SENIOR DEPUTY DIRECTOR'S ORDER OF PROHIBITION, incorporated

herein by this reference, GOLDEN 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 Senior Deputy Director of DIFS 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: (a) to be served with a written notice of DIFS's charges against him pursuant to Section 18a(2) of the Act, MCL 445.1668a(2); (b) to a hearing pursuant to Section 18a(2) of the Act, MCL 445.1668a(2) for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof, including, without limitation, any such right provided by the Section 301 of Administrative Procedures Act, MCL 24.301 or otherwise; and (d) to challenge or contest in any matter the basis, issuance, validity, effectiveness, 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 GOLDEN of any allegation made or implied by DIFS 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 Act, MCL 445.1668a, that:

1. GOLDEN is hereby and henceforth prohibited from being employed by, an agent of, or control person of a licensee or registrant under the Act, or a licensee or registrant under a financial licensing act.
2. GOLDEN shall within 30 days of the entry of the Order surrender the license of Ralphie's Auto Sales, LLC, (IS No. 0018305).
3. Any violation of this Order shall separately subject GOLDEN to appropriate

criminal penalties under Section 18d of the Act, MCL 445.1668d.

4. GOLDEN shall promptly respond to any request from DIFS for documents, testimony, and other requests for information that DIFS requests to demonstrate to the satisfaction of the Director that GOLDEN is in full compliance with this Order.

5. The provisions of this Order shall not bar, estop, or otherwise prevent DIFS or any Federal or state agency or department from taking any other action affecting GOLDEN, provided, however, that DIFS shall not take any further action against GOLDEN relating to the matters addressed by this Order.

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

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

**IT IS SO ORDERED.**

**DEPARTMENT OF INSURANCE AND  
FINANCIAL SERVICES**

By: *Rhonda J. Fossitt*  
**Rhonda J. Fossitt,**  
**Senior Deputy Director**

STATE OF MICHIGAN  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

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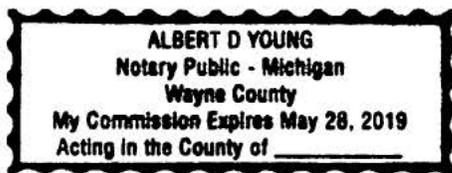
VOLUNTARY CONSENT TO ENTRY OF SENIOR DEPUTY  
DIRECTOR'S ORDER OF PROHIBITION

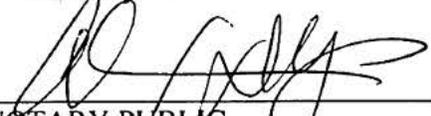
I, Rafael Golden, with the intent to be legally bound, hereby knowingly and voluntarily consent to the attached Senior Deputy Director's Order of Prohibition in this matter, and further, in consideration of the terms and conditions set forth therein, also voluntarily waive and give up any and all rights that I may now or hereafter have to administrative or judicial review concerning, or otherwise challenge or contest, the entry of the attached Senior Deputy Director's Order of Prohibition in this matter.

3-31-16  
DATED

  
\_\_\_\_\_  
Rafael Golden

Subscribed and sworn to before me on this 31<sup>st</sup> day of March, 2016.



  
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NOTARY PUBLIC  
In and for the County of Wayne  
Michigan  
My commission expires 5/28/2019