STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

In the Matter of:

JOSEPH TOMS, **Enforcement Case No. 10-8493**

Respondent.
_____/

Issued and Entered,
This 11th day of March, 2011,
by Stephen R. Hilker,
Chief Deputy Commissioner

FINAL ORDER TO CEASE AND DESIST
AND
PAY CIVIL FINE

I.

Findings of Fact

1. On September 24, 2010, pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), MCL 445.1651 *et seq.*, the Chief Deputy Commissioner issued to Respondent an ORDER TO CEASE AND DESIST, ASSESSMENT OF A CIVIL FINE, AND NOTICE OF OPPORTUNITY FOR HEARING (the "Order").

2. The Order, incorporated herein by this reference, ordered Respondent to cease and desist from violating the MBLSLA. Specifically, the Respondent was ordered to cease and desist from originating residential mortgage loans without being properly registered under the MBLSLA.

3. The Order further ordered Respondent to pay a civil fine in the amount of FIVE HUNDRED DOLLARS ($500.00).

4. The Order, served on Respondent in accordance with Section 16 of the MBLSLA, MCL 445.1666, advised Respondent that Respondent was entitled to a hearing on this matter if Respondent filed a written request within 30 days of the date of the Order.

5. The Order was served on Respondent on or about February 1, 2011.

6. Respondent failed to request a hearing within 30 days as required by statute.

II.

Final Order to Cease and Desist and Pay Civil Fine

NOW, THEREFORE, based upon the factual findings set forth above and the files and records of the Office of Financial and Insurance Regulation, **IT IS HEREBY ORDERED THAT**:

1. The factual allegations set forth in the Order shall be and hereby are found to be true and correct. Specifically, it is found that, in violation of the MBLSLA, Respondent originated at least one residential mortgage loan without being properly registered under the MBLSLA.

2. A Final Order to **CEASE AND DESIST**, pursuant to MCL 445.1666, shall be and hereby is issued and entered against Respondent.

3. Respondent shall pay to the State of Michigan, Office of Financial and Insurance Regulation, a **CIVIL FINE** in the amount of FIVE-HUNDRED DOLLARS ($500.00). The **CIVIL FINE** shall be tendered in the form of a certified check or money order payable to the State of Michigan and attached to the enclosed invoice. Pursuant to MCL 445.1658(8), the **CIVIL FINE** shall be deposited into the MBLSLA Fund with the Department of Treasury.

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

5. This Order shall remain in effect until terminated, modified, or set aside, in writing by the

Commissioner of the Office of Financial and Insurance Regulation (the "Commissioner").

6. The Commissioner specifically retains jurisdiction of the matter contained herein to issue such further order or orders as he may deem just, necessary, or appropriate so as to assure compliance with the law and protect the interest of the public.

IT IS SO ORDERED.

Stephen R. Hilker
Chief Deputy Commissioner