

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**Before the Commissioner of the Office of Financial and Insurance Regulation**

In the matter of:

**Enforcement Case No. 12-11526**

**G.I.A.F, Inc.**  
d/b/a **GIAF Escrow Services**  
d/b/a **DBBA Home Mortgage**  
d/b/a **GIAF Mortgage**  
**Zakiiyah Lovejoy, President**  
**Charles Brian Lovejoy, Vice President**  
**James Stewart, Director**  
**The Kaizer Group, LLC**

Respondents.

\_\_\_\_\_ /

Issued and entered  
On 5-10 2012  
By Annette E. Flood  
Chief Deputy Commissioner

**ORDER TO CEASE AND DESIST  
WITH STATEMENT OF FINDINGS  
AND  
OPPORTUNITY FOR HEARING**

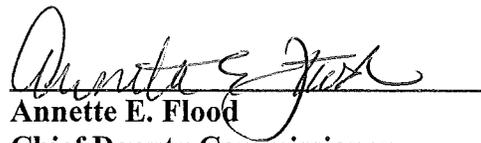
Pursuant to Section 251 of the Michigan Insurance Code (Code), MCL 500.251, and after reviewing evidence of the conduct described in the attached Statement of Findings; and

**WHEREAS**, the Commissioner finds that immediate action is necessary and appropriate in the public interest for the protection of the public health, safety and welfare and consistent with the purposes fairly intended by public policy and provisions of the Code;

**IT IS THEREFORE ORDERED that:**

1. The Respondent(s) shall immediately **CEASE AND DESIST** from all activities in violation of the Code as described in the Statement of Findings.
2. A copy of this Order shall be immediately served upon Respondent(s). As to any Respondent, this Order shall be effective upon the date of service.

3. Respondent(s) will have 30 calendar days after the service of this Order to contest it by requesting a hearing. Within 10 calendar days after receiving the request, the hearing process shall commence. This Order shall remain in effect until further order of the Commissioner. Any request for a hearing should be addressed to the Office of Financial and Insurance Regulation, Attention: Tracy Janousek, Hearings Clerk, P.O. Box 30220, Lansing, MI 48909-7720 or faxed to 517-373-1224.
4. Any such hearing held shall address the following issues:
  - a) The facts set forth in the Statement of Findings.
  - b) The continuation of the Order to Cease and Desist.
5. If a hearing is requested, an administrative law judge from the Michigan Administrative Hearing System shall preside over any such hearing.
6. The Commissioner retains jurisdiction of the matters contained herein and the authority to issue such further Order(s) as shall be deemed just, necessary and appropriate.
7. A person who violates or otherwise fails to comply with an Order to Cease and Desist is subject to one or more of the following:
  - a) Payment of a civil fine of not more than \$1,000 for each violation not to exceed an aggregate civil fine of \$30,000. However, if the person knew or reasonably should have known the conduct was in violation of the cease and desist order, the person shall be subject to a civil fine of not more than \$25,000 for each violation not to exceed an aggregate civil fine of \$250,000.
  - b) Suspension or revocation of the person's license or certificate of authority.
  - c) Complete restitution, in the form, amount, and within the period determined by the Commissioner, to all persons in Michigan damaged by the violation or failure to comply.

  
**Annette E. Flood**  
**Chief Deputy Commissioner**

21. Section 7317 of the Code, MCL 500.7317, states, “Persons acting as agents or solicitors for a title insurer shall be licensed in such capacities and subject to the applicable provisions of Chapter 12.”
22. Section 7304 of the Code, MCL 500.7304, states, in part, “Every title insurer authorized to do business pursuant to this code may issue title insurance; make, execute and perfect such contracts, agreements, policies and other instruments as may be required therefor; examine titles to real estate in connection with any transaction in which a policy of title insurance or commitment therefor is being issued and report thereon; issue commitments for title insurance policies specifying the requirements for the issuance of such policies; act as escrow agent in any transaction involving the issuance of a title insurance policy.”
23. Pursuant to MCL 500.106, an insurer is any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds organization, fraternal benefit society, and any other legal entity, engaged or attempting to engage in the business of making insurance or surety contracts.
24. Respondents acted as an insurer and/or insurance producers by engaging or attempting to issue title insurance to Complainant for property located in Sterling Heights, Michigan.
25. Pursuant to MCL 500.108, an authorized insurer is an insurer duly authorized, by a subsisting certificate of authority issued by the Commissioner, to transact insurance in this state. According to OFIR’s records, the Commissioner has never issued Respondents a certificate of authority to transact insurance in this state.
26. Pursuant to MCL 500.503(q), a “[p]roducer” means a person required to be licensed under this act to sell, solicit, or negotiate insurance. Respondents acted as producers when they solicited and entered into negotiations with Complainant to issue a title insurance policy for property located in Sterling Heights, Michigan, without the requisite license to engage in the business of insurance.
27. Based on the Respondents’ conduct as described above, Respondents are in violation of MCL 500.1201a(1), MCL 500.7317, and MCL 500.7304 for engaging in business as a title insurer, escrow agent, insurance producer, or a solicitor of insurance by performing the functions of an escrow agent, insurance producer, solicitor or insurer concerning a transaction involving title insurance without first obtaining the applicable license(s) or certificate(s) of authority.

## STATEMENT OF FINDINGS

1. Respondent G.I.A.F., Inc. is an entity incorporated in the state of Michigan with its principal place of business located at 20700 Civic Center Drive, Suite 170, Southfield, Michigan 48076.
2. Respondent Charles Brian Lovejoy is the Secretary and Vice President of G.I.A.F., Inc. and the incorporator of G.I.A.F., Inc.
3. Respondent G.I.A.F., Inc. transacts business in the state of Michigan under the assumed names of GIAF Escrow Services, DBBA Home Mortgage, and GIAF Mortgage.
4. Respondent Zakiiyah Lovejoy, previously known as Zakiiyah Paul, is the President of G.I.A.F., Inc. and the incorporator of G.I.A.F., Inc.
5. Respondent James Stewart is the Director of G.I.A.F., Inc.
6. Respondent The Kaizer Group, LLC is a limited liability company organized in the state of Michigan and is located at 20700 Civic Center Drive, Suite 170, Southfield, Michigan 48076.
7. Respondent Charles Brian Lovejoy is the organizer and managing member of The Kaizer Group, LLC.
8. Respondent G.I.A.F., Inc. has never held a certificate of authority in the state of Michigan to issue title insurance; make, execute and perfect such contracts, agreements, policies and other instruments as may be required for title insurance; issue commitments for title insurance policies specifying the requirements of such policies; or to act as an escrow agent in any transaction involving the issuance of title insurance policy.
9. Respondent G.I.A.F., Inc. is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
10. Respondent Charles Brian Lovejoy is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
11. Respondent Zakiiyah Lovejoy is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
12. Respondent James Stewart is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
13. Respondent The Kaizer Group, LLC has never held a certificate of authority in the state of Michigan to issue title insurance; make, execute and perfect such contracts, agreements, policies and other instruments as may be required for title insurance; issue commitments for

- title insurance policies specifying the requirements of such policies; or to act as an escrow agent in any transaction involving the issuance of title insurance policy.
14. Respondent The Kaizer Group, LLC is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
  15. Respondent GIAF Escrow Services has never held a certificate of authority in the state of Michigan to issue title insurance; make, execute and perfect such contracts, agreements, policies and other instruments as may be required for title insurance; issue commitments for title insurance policies specifying the requirements of such policies; or to act as an escrow agent in any transaction involving the issuance of a title insurance policy.
  16. Respondent GIAF Escrow Services is not and has never been licensed by the state of Michigan to sell, solicit, or negotiate insurance or to act as an agent or solicitor for a title insurer.
  17. On October 26, 2010, the Office of Financial and Insurance Regulation (OFIR) received information from \_\_\_\_\_ indicating that it received an inquiry from a closing agent concerning Respondent Charles Brian Lovejoy and a Commitment for Title Insurance he provided to a Michigan resident (Complainant).
  18. Complainant's property, located in Sterling Heights, Michigan, was sold during a sheriff's sale in October 2010. Complainant was subsequently approached by Respondent Charles Brian Lovejoy. Respondent Charles Brian Lovejoy, acting on behalf of the The Kaizer Group, LLC and GIAF Escrow Services advised Complainant that he could purchase the house for half of what it was sold for at the sheriff's sale and he could continue to live in the house. As part of the transaction to allow Complainant to continue to occupy the home, Respondent Charles Brian Lovejoy provided Complainant with a Commitment for Title Insurance from Respondent GIAF Escrow Services.
  19. On or about October 26, 2010, Respondent GIAF Escrow Services prepared a Commitment for Title Insurance for Complainant. In the Commitment for Title Insurance, Respondent GIAF Escrow Services committed to issue a policy of title insurance in the amount of \$75,000, in favor of the proposed insured, Complainant, for property located in the City of Sterling Heights, County of Macomb, state of Michigan, if all the requirements set forth in Schedule B of the Commitment for Title Insurance were satisfied. According to the Commitment for Title Insurance, Respondent The Kaizer Group, LLC held a Fee Simple Interest in the property.
  20. Section 1201a(1) of the Insurance Code (Code), MCL 500.1201a(1), states, "A person shall not sell, solicit, or negotiate insurance in this state for any line of insurance unless the person is licensed for that qualification in accordance with this chapter."