

**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:

Michael T. Stacey

Enforcement Case No. 09-7141

Respondent.

_____ /

CONSENT ORDER

**Issued and Entered
This 26th day of October, 2011
by **Stephen R. Hilker**
Chief Deputy Commissioner**

Based upon the Stipulation to Entry of Consent Order and the files and records of the Office of Financial and Insurance Regulation (“OFIR”) in this matter, the Commissioner OFIR (the “Commissioner”) FINDS and CONCLUDES that:

1. The Commissioner has jurisdiction and authority to adopt and issue this Consent Order in this proceeding, pursuant to the Michigan Administrative Procedures Act of 1969 (“MAPA”), as amended, MCL 24.201 *et seq.*, and the Mortgage Brokers, Lenders, and Servicers Licensing Act (“MBLSLA”), 1987 PA 173, as amended, MCL 445.1651 *et seq.*
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the parties’ Stipulation to Entry of Consent Order is reasonable and in the public interest.
4. All applicable provisions of MAPA have been met.
5. Notwithstanding that Michael T. Stacey (“Respondent”) denies the allegations brought

forth in this matter, for purposes of this order, OFIR alleges that Respondent violated Sections 22(a)-(b) of the MBLSLA, MCL 445.1672(a)-(b).

NOW, THEREFORE, based upon the parties' Stipulation to Entry of Consent Order, **IT IS ORDERED THAT:**

1. The Stipulation to Entry of Consent Order submitted by the parties to the Chief Deputy Commissioner is hereby **ACCEPTED**.
2. Respondent shall not violate the aforementioned statutes and the MBLSLA and all provisions thereof.
3. Respondent shall immediately cease soliciting or originating any new residential mortgage business regulated by the MBLSLA or SMLA.
4. Respondent shall not make application for licensure or registration, either in his individual capacity or as an officer, director, shareholder, member, partner, or owner of any business entity, under any regulatory licensing statute presently or hereafter administered by the Commissioner for a period of three (3) years from the date of issuance and entry of this Consent Order.
5. The Commissioner specifically retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as he shall deem just, necessary and appropriate in accordance with the provisions of the MBLSLA. Failure to abide by the terms and conditions of the Stipulation to Entry of Consent Order and this Order may result in the commencement of additional proceedings.

IT IS SO ORDERED.



Stephen R. Hilker
Chief Deputy Commissioner

**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:

**Michael T. Stacey
17211 West Twelve Mile Road
Southfield, MI 48076**

Enforcement Case No. 09-7141

STIPULATION TO ENTRY OF CONSENT ORDER

Michael Stacey ("Respondent") and the Office of Financial and Insurance Regulation ("OFIR") hereby stipulate and agree to the following:

1. In the exercise of its statutory authority and responsibility, on or about September 18, 2006 through September 25, 2006, the Office of Financial and Insurance Regulation ("OFIR"), pursuant to Section 13(1) of the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), MCL 445.1663(1), conducted an investigation Real Financial, LLC and Exact Title LLC regarding alleged serious misconduct in the mortgage industry.
2. Based upon information derived from this investigation, OFIR staff ("Staff") alleges that Respondent engaged in misrepresentation in connection with seven residential real property sales by his company, the First Mortgage Fund. Specifically, it is alleged that Respondent, by and through the seller in each transaction, his company, the First Mortgage Fund, provided the closing funds for the purchaser. The provision of the purchaser's closing funds is contrary to attestation made by Respondent on the HUD-1 Settlement Statements, indicating that the HUD-1 Settlement Statement was a true and accurate accounting of all disbursements and receipts made by him in the transaction.
3. Respondent's actions are alleged to have violated Sections 22(a)-(b) of the MBLSLA, MCL 445.1672(a)-(b).
4. OFIR and Respondent have conferred for purposes of resolving this matter and determined to settle this matter pursuant to the terms set forth below.
5. The Commissioner of OFIR ("Commissioner") has jurisdiction and authority under the



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provisions of the Michigan Administrative Procedures Act, MCL 24.201 *et seq.*, and MBLSLA to accept this Stipulation and to issue a Consent Order resolving this matter.

6. Without admitting the allegations set forth in paragraph 2, in the interest of resolving this matter without the time and expense an administrative contested case, Respondent has agreed to the terms of this Stipulation and the entry of the attached Consent Order.

7. Respondent agrees to not make application for licensure or registration, either in his individual capacity or as an officer, director, shareholder, member, partner, or owner of any business entity, under any regulatory licensing statute presently or hereafter administered by the Commissioner for a period of three (3) years from the date of issuance and entry of the attached Consent Order resolving this matter.

8. The procedural requirements of the MAPA, the MBLSLA, and the SMLA have been complied with in all respects by both parties.

9. Respondent understands and agrees that this Stipulation will be presented to the Chief Deputy Commissioner for approval. The Chief Deputy Commissioner may in his sole discretion, decide to accept or reject the Stipulation and Consent Order. If the Chief Deputy Commissioner accepts the Stipulation and Consent Order, Respondent has been advised that such action effectively waives his right to a hearing in this matter and to any matter contained within this Stipulation and any right to appeal the validity or enforceability of this Stipulation and Consent Order, and constitutes his consent to the entry of the Consent Order on his behalf and on behalf of Respondent. Respondent has knowingly and advisedly agreed to the foregoing on his behalf and on behalf of Respondent. If the Chief Deputy Commissioner does not accept the Stipulation and Consent Order, Respondent waives any objection to the Commissioner holding a formal administrative hearing and making his decision after such hearing.

10. The failure to abide by and fully comply with the terms and conditions of this Stipulation and Consent Order may, at the discretion of the Commissioner, result in further administrative compliance actions.

11. Respondent has had an opportunity to review this Stipulation and the accompanying Consent Order and has been advised that he has the right to have same reviewed by legal counsel.



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MICHAEL T. STACEY



Michael T. Stacey

Dated: 10/10/11

**OFFICE OF FINANCIAL AND
INSURANCE REGULATION**



By: **JAMES WESTRIN**
Staff Attorney

Dated: 10/12/11

