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:

MCGOWAN, DORE' HOOD **Enforcement Case No. 05-3147**
DBA ZENITH MORTGAGE GROUP
License/Registration No.: FL-1207
Respondent.

Issued and entered
This 12th day of July, 2005
By Linda A. Watters, Commissioner
Office of Financial and Insurance Services

CONSENT ORDER

I
BACKGROUND

On or about May 5, 2005, a Notice of Opportunity to Show Compliance (NOSC) was issued by the Michigan Office of Financial and Insurance Services (OFIS) to Respondent in the above entitled matter pursuant to the provisions of the Mortgage Brokers, Lenders, and Servicers Licensing Act (MBLSLA), 1987 PA 173, as amended, MCL 445.1651 *et seq*.

The NOSC contained alleged violations of the MBLSLA, and set forth the applicable laws and penalties which could be taken against Respondent.

OFIS and Respondent have conferred for purposes of resolving this matter and have submitted a Stipulation to Consent Order and Consent Order for review and consideration by the Commissioner of OFIS.

II
FINDINGS OF FACT

On the basis of the Stipulation to Consent Order and the files and records of OFIS in this matter, the Commissioner FINDS and CONCLUDES that:

1. The Commissioner of OFIS has jurisdiction and authority to adopt and issue this Consent Order in the 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.

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 Consent Order is reasonable and in the public interest.

4. Respondent has submitted $1,500 in anticipation of the Commissioner executing this Consent Order, thereby ordering payment of $1,500 in fines and penalties.

5. All applicable provisions of the MAPA have been met.

III
CONCLUSIONS OF LAW

Based upon a review of applicable laws, it is concluded that Respondent has violated Section 21(3) of the Act, MCL 445.1671(3), by failing to file its annual report within the time required by the MBLSLA.

IV
ORDER

THEREFORE, based on the parties' Stipulation to Consent Order and the facts surrounding this case, **IT IS HEREBY ORDERED THAT:**

1. The Stipulation to Consent Order submitted by the parties to the Commissioner is hereby **ACCEPTED**.

2. Respondent shall immediately cease and desist from operating in violation of Section 21(3) of the MBLSLA, MCL 445.1671(3).

3. Respondent shall make all filings with OFIS that are required to be filed on or before a certain date, including, but not limited to, annual reports, financial statements, and applications for renewal of license or registration, in a manner, such as via overnight mail or certified mail, which affords Respondent with proof of a specific delivery date, no later than the date the report, statement, or other document is due.

4. Respondent shall pay a $500 civil fine and a $1,000 late penalty fee. The $1,500 remitted by Respondent with the Stipulation to Consent Order shall be applied to the civil fine and late penalty.

5. The Commissioner of OFIS specifically retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as she shall deem just, necessary and appropriate in accordance with the provisions of the Mortgage Brokers, Lenders, and Servicers Licensing Act, 1987 PA 173, as amended, MCL 445.1651 *et seq*. Failure to abide by the terms and provisions of the Stipulation and this Order, may result in the commencement of additional proceedings.

Linda A. Watters

LINDA A. WATTERS
Commissioner