

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES
Before the Director of the Department of Insurance and Financial Services

In the matter of:

First Choice Loan Services Inc.

Enforcement Case No. 19-15695

NMLS No. 210764

Respondent.

_____ /

Issued and entered
on November 6, 2019
by Teri L. Morante
Chief Deputy Director

ORDER ACCEPTING STIPULATION AND REQUIRING COMPLIANCE AND PAYMENT OF FINES

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS), the Chief Deputy Director finds and concludes that:

1. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation and Requiring Compliance and Payment of Fines in this proceeding pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act (MBLSLA), 1987 PA 173, 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 Stipulation to Entry of Order is reasonable and in the public interest.
4. Respondent violated Section 2(1) of the MBLSLA, MCL 445.1652(1).

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case, **IT IS ORDERED THAT:**

- A. Respondent shall comply with all terms agreed to in the Stipulation to Entry of Order. A violation of the Stipulation to Entry of Order is a violation of this Order.
- B. Respondent shall pay to the State of Michigan, through DIFS, administrative and civil fines in the amount of \$2,000.00. Respondent shall pay the fines within 30 days of the invoice date as indicated on the DIFS invoice.

- C. Respondent shall not engage in any violations of sections of the MBLSLA identified in paragraph 4 of this Order.
- D. The Chief Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.


Teri L. Morante
Chief Deputy Director

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STIPULATION TO ENTRY OF ORDER

First Choice Loan Services Inc. (Respondent) stipulates to the following:

1. On or about August 2, 2019, the Department of Insurance and Financial Services (DIFS) received an application for registration under the Mortgage Brokers, Lenders, and Servicers Licensing Act (MBLSLA), 1987 PA 173, MCL 445.1651, *et seq.*
2. During the application review process, DIFS Staff determined that Respondent had engaged in servicing mortgage loans without the proper license or registration in violation of Section 2(1) of the MBLSLA, MCL 445.1652(1).
3. Under Section 29(2)(a) of the MBLSLA, MCL 445.1679(2)(a), the Director is authorized to assess civil fines for a violation of the MBLSLA. Under Section 29(2)(b) of the MBLSLA, MCL 445.1679(2)(b), the Director is authorized to refuse to issue a license or registration for a violation of the MBLSLA.
4. DIFS and Respondent have conferred and have agreed this matter may be resolved pursuant to the terms set forth below.
5. At all pertinent times, Respondent was not licensed or registered with DIFS under the MBLSLA. Respondent performed mortgage servicing activities in 2018 and 2019.
6. Respondent admits that it violated Section 2(1) of the MBLSLA, MCL 445.1652(1), by acting as a first mortgage servicer without the requisite license or registration.
7. Respondent agrees that it will pay to the State of Michigan, through DIFS, administrative and civil fines in the amount of \$2,000.00. Respondent further agrees to pay the fine within 30 days of the invoice date as indicated on the DIFS' invoice.
8. Both parties have complied with the procedural requirements of the MBLSLA.

9. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
10. The Chief Deputy Director may, in her sole discretion, decide to accept or reject the Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation and Requiring Compliance and Payment of Fines. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.
11. Respondent has had an opportunity to review the Stipulation to Entry of Order and the proposed Order Accepting Stipulation and Requiring Compliance and Payment of Fines and have the same reviewed by legal counsel.
12. It is further stipulated that the amount of administrative and civil fines has been negotiated in return for the avoidance of further proceedings and certain promises and conditions, one of which is the timely payment of said administrative and civil fines.
13. Upon issuance and entry of the Order and Respondent's payment of the \$2,000.00 civil fine, DIFS shall conduct a final review of Respondent's registration application material. If at that time Respondent's application contains all required and current information and Respondent meets all qualifications for registration as required under these Acts, DIFS shall issue a mortgage broker, lender, and servicer registration to Respondent.

FIRST CHOICE LOAN SERVICES INC.

By: _____

Its: SEVP/COO

Dated 11/4/19

DIFS' staff approve this Stipulation to Entry of Order and recommend that the Director issue an Order Accepting Stipulation and Requiring Compliance and Payment of Fines.

Department of Insurance and Financial Services

By: Joshua S. Smith (P63349)
Staff Attorney

Dated November 5, 2019