

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Guste Shukeireh
NMLS No. 1371736,

Enforcement Case No. 16-12849

Applicant.
_____ /

Issued and entered,
this 27th day of June, 2016
by Rhonda J. Fossitt,
Senior Deputy Director

**ORDER OF DENIAL
OF MORTGAGE LOAN ORIGINATOR LICENSE APPLICATION**

**I.
APPLICABLE LAWS**

1. The Director of the Department of Insurance and Financial Services (DIFS) regulates and licenses Mortgage Loan Originators in Michigan pursuant to the Mortgage Loan Originator Licensing Act, 2009 PA 75, as amended, MCL 493.131 *et seq.* (the Act).
2. Section 25(1)(b) of the Act provides the Director with the authority to deny an application for a mortgage loan originator license if the applicant withholds information in an application for a license. MCL 493.155(1)(b).
3. Section 9(1)(d) of the Act prohibits the Director from issuing a license unless the Director finds that, “[t]he applicant has demonstrated financial responsibility, character, and general fitness that commands the confidence of the community and warrants a determination that the mortgage loan originator will operate honestly, fairly, and efficiently within the purposes of this act.” MCL 493.139(1)(d).
4. Section 9(1)(h) of the Act prohibits the Director from issuing a license unless the Director finds that, “[t]he Applicant has a sponsor in the nationwide mortgage licensing system (NMLS) and registry that is approved by the ... [Director].” MCL 493.139(1)(h).
5. Section 33(1)(a) of the Act empowers the Director to investigate an applicant for licensing to determine compliance with the Act. MCL 493.163(1)(a).

**II.
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. On or about July 21, 2015, DIFS received a mortgage loan originator (MLO) application in the name of Guste Shukeireh (Applicant), NMLS No. 1371736, for a license to originate mortgage loans under the Act.
2. Pursuant to Section 33(1)(a) of the Act, MCL 493.163(1)(a), DIFS' Consumer Finance Section conducted a background investigation of Applicant to determine whether Applicant satisfies the conditions of Section 9(1) of the Act, MCL 493.139(1).
3. The background investigation conducted pursuant to the July 21, 2015, MLO application, revealed the following:
 - a. The Applicant failed to disclose on the Uniform Individual Mortgage License/Registration Consent Form's Regulatory Action Disclosure Questionnaire (MU4) disciplinary action taken by the State of Michigan where he was fined \$500 for the following conduct outlined in Stipulation and Consent Order No. 05-2987 (February 25, 2005):
 - i. Applicant conducted first lien mortgage business without the requisite license certificate required under Section 2(1) of the MBLSLA.
 - ii. Applicant entered into an unwritten independent contractor arrangement with licensee, American Residential Funding, Inc., License No. FL2355. The agreement began in 2000 and continued into 2004.
 - iii. Applicant's 1099 independent contractor compensation for first lien mortgage business was \$15,000 for year-end 2000, \$15,000 for year-end 2001, \$4,105 for year-end 2002, and \$12,000 for year-end 2003.
 - b. On April 28, 2006, KM filed a complaint with DIFS against Applicant for failure to pay for services related to real estate/loan activities. Appraiser complains broker failed to pay fee. Applicant received a warning letter.
 - c. On March 6, 2007, JM filed a complaint with DIFS against Applicant for failure to pay for services related to real estate/loan activities. Appraiser complains broker failed to pay fee. Applicant received a second warning letter.
 - d. On April 19, 2007, GD filed a complaint with DIFS against Applicant for failure to pay for services related to real estate/loan activities. Appraiser complains broker failed to pay fee. Applicant received a third warning letter.
 - e. At the time of application, a review of Applicant's Trans Union credit report indicated a Michigan state tax lien (lien) in the amount of \$42,090, and a civil judgment in the amount of \$11,413. A Settlement Agreement for the civil

judgement held by Great America Financial Services Corporation was signed on June 5, 2015, and submitted to DIFS Staff along with two payments totaling \$3,000. Applicant provided documents to DIFS Staff showing he is on a payment plan regarding the lien. As of March 29, 2016, the outstanding amount of the lien was \$15,737.

- f. Applicant has deficient sponsorship.
4. Applicant attested that the information contained in his July 2015 MLO Form MU4 license application, including information that accompanied the application was current, true, accurate and complete and his statements were made under penalty of perjury, or unsworn falsification to authorities, or similar provision of law.
5. Applicant knew or should have known that he was required to answer “Yes” to questions “2” and “4” in paragraph K of the July 2015 MU4. Applicant failed to disclose the February 2005 Stipulation and Consent Order and the conduct and violation set forth in paragraph 3(a) above. The attestation section of the application also advised Applicant that, “If an applicant made a false statement of a material fact in this application or in any documentation provided to support the foregoing application, then the foregoing application may be denied.”
6. Based on the foregoing facts and the DIFS record compiled as part of its investigatory function, the Director finds and concludes that Applicant’s failure to disclose his February 2005 Stipulation and Consent Order combined with his continuing credit issues, indicate that Applicant has not demonstrated the financial responsibility, character and general fitness that commands the confidence of the community and does not warrant a determination that Applicant will operate honestly, fairly and efficiently as required to satisfy Section 9(1)(d) of the Act, MCL 493.139(1)(d).
7. Based on the foregoing facts, the Director finds and concludes that Applicant has failed to meet the minimum licensing requirements of Section 9(1) of the Act, MCL 493.139(1), and is therefore ineligible for licensure under the Act.

**III.
ORDER**

Based on the Statement of Law, Findings of Fact, and Conclusions of Law above, it is **ORDERED** that:

1. The application of Guste Shukeireh for licensure as a Mortgage Loan Originator under the Act shall be and hereby is DENIED.
2. Guste Shukeireh shall immediately cease and desist from conducting any activities that require licensure under the Act.

**DEPARTMENT OF INSURANCE
AND FINANCIAL SERVICES**



Rhonda J. Fossitt
Senior Deputy Director

Dated: 6-29-2016

**IV.
APPEAL**

This Order of Denial is an administrative order subject to judicial review pursuant to the Michigan Constitution, MCL Const. Art. 6, § 28, and subject to the Revised Judicature Act, MCL 600.631.