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

### Before the Director of the Department of Insurance and Financial Services

In the matter of:

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Neal Winnie NLMS ID No. 259321

Enforcement Case No. 18-15268

Respondent.

Issued and entered on <u>May 15</u>, 2019 by Teri L. Morante Chief Deputy Director

## **ORDER ACCEPTING STIPULATION AND ORDER OF REVOCATION**

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS) in this matter, 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 in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 *et seq.*, and the Mortgage Loan Originator Licensing Act (Act), 2009 PA, 75, MCL 493.131 *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. All applicable provisions of the APA have been met.
- 4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
- 5. Neal Winnie (Respondent) is a licensed mortgage loan originator.
- 6. Respondent violated Sections 5(3) and 35(a) of the Act, MCL 493.135(3) and 493.165(a) and failed to maintain the requirements for initial licensure under Section 9(1)(d) of the Act, MCL 493.139(1)(d), by assisting in altering documentation, securing fictitious invoices, and submitting these materials to lenders in connection with residential mortgage loan transactions.
- 7. Respondent neither admits nor denies the violations cited in this Order Accepting Stipulation.
- 8. In resolution of this matter and to avoid further costs and proceedings, Respondent has agreed to accept sanctions, including the revocation of his mortgage loan originator license.

Order Accepting Stipulation and Order of Revocation Enforcement Case No. 18-15268 Page 2 of 2

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

- 1. All agreements contained in the Stipulation to Entry of Order are accepted and adopted in their entirety.
- 2. Respondent Neal Winnie's mortgage loan originator license shall be **REVOKED**, effective immediately upon the issuance of this Order.
- 3. 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.

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Teri L. Morante *(* Chief Deputy Director

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Respondent.

# STIPULATION TO ENTRY OF ORDER OF REVOCATION

Petitioner Department of Insurance and Financial Services (DIFS) and Respondent Neal Winnie stipulate to the following:

- 1. Neal Winnie (NMLS ID No. 259321) (Respondent) is a licensed mortgage loan originator.
- 2. On or about February 20, 2019, DIFS served Respondent with a Notice of Intention to Revoke and Statement of Factual Allegations alleging that Respondent had violated provisions of the Mortgage Loan Originator Licensing Act (Act), 2009 PA, 75, MCL 493.131 *et seq*. DIFS asserts these actions constitute a violation of Sections 5(3) and 35(a) of the Act, MCL 493.135(3) and 493.165(a) and a failure to maintain the requirements for initial licensure under Section 9(1)(d) of the Act, MCL 493.139(1)(d).
- 3. Respondent neither admits or denies the allegations above and has agreed to the entry of a stipulated order for the purpose of resolving this matter.
- 4. Respondent admits that all parties have complied with the procedural requirements of the Michigan Administrative Procedures Act (APA), MCL 24.201 et seq. and the Act.
- 5. Respondent waives his right to a hearing under the Act.
- 6. Respondent agrees that his Michigan mortgage loan originator license will be REVOKED effective immediately upon the issuance of the Order Accepting Stipulation and that he will not seek relicensing in the state of Michigan.
- 7. Respondent has had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.
- 8. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.

Stipulation to Entry of Order of Revocation Enforcement Case No. 18-15268 Page 2 of 2

9. Respondent understands and agrees that the Chief Deputy Director may, in her sole discretion, decide to accept or reject this 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. 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.

Neal Winnie NMLS ID No. 259321

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DIFS Staff approve this Stipulation and recommend that the Chief Deputy Director accept it and issue an Order Accepting Stipulation.

David M. Toy (P73000) DIFS Staff Attorney

9/19

Date