

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

Home Financing Company, LLC

Enforcement Case No. 08-5551

License/Registration No.: FL-4094/SR-1833

Respondent.

**CONSENT ORDER REVOKING FIRST MORTGAGE LICENSE
AND REVOKING SECONDARY MORTGAGE REGISTRATION**

Issued and Entered

This 17th day of June, 2010

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 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.*, the Mortgage Brokers, Lenders, and Servicers Licensing Act ("MBLSLA"), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, and the Secondary Mortgage Loan Act ("SMLA"), 1981 PA 125, MCL 493.51 *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. Home Financing Company, LLC ("Respondent") violated MCL 445.1672(a)-(b), MCL 445.1652(4), MCL 445.1673(1), and MCL 445.1671(1)-(2).

NOW, THEREFORE, based upon the parties' Stipulation to Entry of Consent Order and the facts surrounding this case, **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 **CEASE** and **DESIST** from violating MCL 445.1672(a)-(b), MCL 445.1652(4), MCL 445.1673(1), and MCL 445.1671(1)-(2).
3. Forthwith, Respondent shall **CEASE** and **DESIST** from engaging in any activity requiring licensure or registration under the MBLSLA or SMLA, and deliver to the Commissioner its original first mortgage license certificate and original secondary mortgage registration certificate.
4. Respondent's first mortgage broker license, issued pursuant to provisions of the MBLSLA, shall be and hereby is **REVOKED**.
5. Respondent's secondary mortgage broker registration, issued pursuant to provisions of the SMLA, shall be and hereby is **REVOKED**.
6. 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 and SMLA. 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

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In the matter of:

Home Financing Company, LLC

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Respondent.
_____ /

**STIPULATION TO ENTRY OF CONSENT ORDER
REVOKING FIRST MORTGAGE LICENSE AND
REVOKING SECONDARY MORTGAGE REGISTRATION**

Home Financing Company, LLC (“Respondent”) and the Office of Financial and Insurance Regulation (“OFIR”) hereby stipulate and agree to the following:

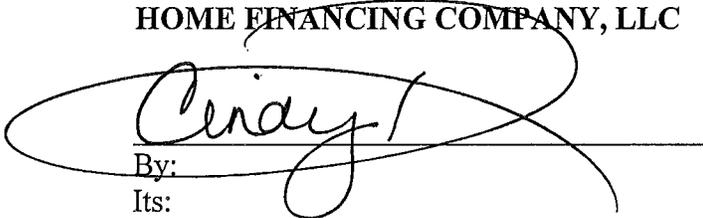
1. OFIR staff (“Staff”) conducted an on-site Examination of Respondent’s books and records commencing on November 13, 2007, pursuant to Section 11(2)(c) of the Mortgage Brokers, Lenders, and Servicers Licensing Act (“MBLSLA”), MCL 445.1661(2)(c), and Section 6b(2)(b) of the Secondary Mortgage Loan Act (“SMLA”), MCL 493.56b(2)(2). The Examination concluded on November 26, 2007.
2. On or about May 20, 2008, a Notice of Opportunity to Show Compliance (“NOSC”) was issued by OFIR to Respondent in the above entitled matter pursuant to the provisions of the Michigan Administrative Procedures Act (“MAPA”), MCL 24.201 *et seq.*, the MBLSLA, 1987 PA 173, as amended, MCL 445.1651 *et seq.*, and the SMLA, 1981 PA 125, as amended, MCL 493.51 *et seq.*
3. The NOSC contained allegations that Respondent violated the MBLSLA and SMLA and set forth the applicable laws and penalties which could be taken against Respondent.

4. On or about June 19 , 2008, Respondent submitted a written statement in response to the allegations set forth in the NOSC. Staff determined that Respondent had not made a sufficient showing of compliance related to material allegations contained in the NOSC.
5. On or about June 13, 2008, Respondent surrendered its first mortgage license. Pursuant to Section 10(1) of the MBLSLA, MCL 445.1660(1), the surrender of a license does not affect a proceeding to revoke a license.
6. On or about January 1, 2008, Respondent surrendered its secondary mortgage registration. Pursuant to Section 11(4) of the SMLA, MCL 493.61(4), the surrender of a registration does not affect a proceeding to revoke a registration.
7. On June 8, 2009, in accordance with appropriate provisions of the MBLSLA and SMLA, OFIR issued to Respondent a Notice of Intention to Revoke License (“NOIR”). The NOIR informed Respondent of its right to a hearing if requested within 20 days.
8. On June 23, 2009, Respondent replied to the NOIR. Shortly thereafter, OFIR and Respondent conferred for purposes of resolving this matter and determined to settle this matter pursuant to the terms set forth below.
9. The Commissioner of OFIR (“Commissioner”) has jurisdiction and authority to adopt and issue this Consent Order, pursuant to the MAPA, MCL 24.201 *et seq.*, the MBLSLA, and the SMLA.
10. At all pertinent times, Respondent was licensed with OFIR as a mortgage broker pursuant to the MBLSLA, and registered with OFIR as a secondary mortgage broker pursuant to the SMLA.
11. Based upon the allegations set forth in the NOSC, NOIR, and communications with Respondent, the following facts were established:
 - a. Respondent or its employees or agents engaged in a misrepresentation or omission in connection with a single residential mortgage loan transaction governed by the MBLSLA. Respondent is responsible for the conduct of its employees or agents. The activity engaged in by Respondent’s employees or agents violated Section 22(b) of the MBLSLA. Therefore, Respondent is in violation of Section 22(b) of the MBLSLA, MCL 445.1672(b).
 - b. Respondent conducted activities under the MBLSLA and SMLA with, and

- compensated for such activity, independent contractors that are not employees of Respondent and are not licensed, registered or exempt under the MBLSLA or SMLA, in violation of MCL 445.1652(4) and MCL 493.52.
- c. Respondent failed to comply with various provisions of state and federal law, in violation of Section 22(a) of the MBLSLA, MCL 445.1672(a).
 - d. Respondent charged a single borrower an amount in excess of the actual cost incurred for their credit report, in violation of Section 23(1) of the MBLSLA, MCL 445.1673(1).
12. Respondent agrees to CEASE and DESIST from any and all of the violations set forth in paragraph 11.
 13. Respondent agrees to CEASE and DESIST from engaging in any activity requiring licensure or registration under the MBLSLA or SMLA, and deliver to the Commissioner its original first mortgage license certificate and original secondary mortgage registration certificate.
 14. Respondent agrees that its first mortgage license and secondary mortgage registration shall be REVOKED by the Commissioner.
 15. The procedural requirements of the MAPA, the MBLSLA, and the SMLA have been complied with in all respects by both parties.
 16. 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 waives the right to a hearing in this matter and consents to the entry of the Consent Order. 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.
 17. 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.

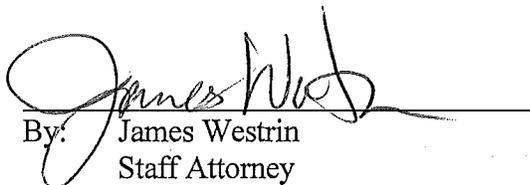
18. The Commissioner has jurisdiction and authority under the provisions of the MAPA, the MBLSLA, and the SMLA to accept this Stipulation to Entry of Consent Order and to issue a Consent Order resolving these proceedings.
19. Respondent has had an opportunity to review this Stipulation and the accompanying Consent Order and have same reviewed by legal counsel.

HOME FINANCING COMPANY, LLC


By: _____
Its: _____

6-7-10
Dated

**OFFICE OF FINANCIAL AND
INSURANCE REGULATION**


By: James Westrin
Staff Attorney

6/17/10
Dated