

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:

Nationwide Investment Services Corporation
d/b/a Nationwide 1st Mortgage Services
d/b/a A-AA Nationwide 1st Mortgage Services
d/b/a A-AABCO America's Home Mortgage Company
d/b/a MEMCO
d/b/a Michigan Educators Mortgage Company
38777 6 Mile Road, Suite 314
Livonia, Michigan 48152-2660,

Enforcement Case No. 08-7056

Ms. Anita M. Dul, President,

License/Registration No.:

FL-2148/SR-0740,

Respondent.

**FIRST AMENDED FINAL ORDER REVOKING FIRST MORTGAGE LICENSE
AND SECONDARY MORTGAGE REGISTRATION**

Issued and Entered,
This 2nd day of March, 2010,
By Ken Ross,
Commissioner

**I.
FINDINGS OF FACT**

1. On September 18, 2009, pursuant to MCL 445.1662 and MCL 493.61, the Commissioner of the Office of Financial and Insurance Regulation ("OFIR") issued to Respondent a NOTICE OF INTENT TO REVOKE FIRST MORTGAGE LICENSE AND SECONDARY MORTGAGE REGISTRATION ("Notice").

2. Said Notice, served on Respondent via certified mail, was received by Respondent on November 10, 2009, as evidenced by the signed certified mail Domestic Return Receipt.
3. Said Notice contained allegations that Respondent had violated the Mortgage Brokers, Lenders, and Servicers Licensing Act, 1987 P.A. 173, as amended, MCL 445.1651 *et seq.* (“MBLSLA”), and the Secondary Mortgage Loan Act, 1981 P.A. 125, as amended, MCL 493.51 *et seq.* (“SMLA”), which warrant the revocation of Respondent’s first mortgage license and secondary mortgage registration. Specifically, said Notice alleged that Respondent:
 - a. Violated MCL 445.1655 by its failure to maintain a net worth of not less than \$25,000.00, calculated in accordance with generally accepted accounting principles.
 - b. Violated MCL 445.1671(2) by its failure to preserve and keep available for examination by the commissioner each mortgage loan document in its possession. In particular, in relation to three mortgage loan files, Respondent failed to preserve and keep available for examination a copy of the good faith estimate (2 files), a copy of the denial notice (1 file), a copy of the initial application (1 file), and a copy of the initial truth in lending disclosure (1 file).
 - c. Violated MCL 445.1672(a) by its failure to conduct business in accordance with applicable law. Namely, Respondent failed to develop, implement, and maintain written policies and procedures for safeguarding customer information, as required under 16 C.F.R. 341.3 – 341.4.
 - d. Violated MCL 445.1672(a) by its failure to conduct business in accordance with applicable law. Particularly, Respondent failed to provide at least 14 consumers with a proper, clear and meaningful good faith estimate, as required under Section 3500.7 of the Department of Housing and Urban Development’s Regulation X, implementing the Real Estate Settlement Procedures Act, 24 C.F.R. 3500.7.

- e. Violated MCL 445.1672(b) by the actions of one of its employees. Specifically, one of Respondent's loan officer employees knowingly allowed two primary residence loans to close for a single borrower during an eight day period in December 2006. Respondent's loan officer employee brokered the loans to separate lenders who closed the loans within eight days of each other. Respondent is responsible for the acts and omissions of its employees, including acts of fraud, deceit, or material misrepresentation.
4. Said Notice further advised Respondent that failure to request a hearing within 20 days would result in the issuance of a Final Order revoking Respondent's first mortgage license and secondary mortgage registration.
5. Respondent failed to request a hearing within 20 days as required by statute.
6. On December 7, 2009, Respondent's first mortgage license and secondary mortgage registration was revoked upon the issuance and entry of a Final Order revoking Respondent's first mortgage license and secondary mortgage registration.
7. This First Amended Final Order to Revoke Respondent's First Mortgage License and Secondary Mortgage Registration amends and replaces the December 7, 2009, Final Order.

II.
**FINAL ORDER TO REVOKE FIRST MORTGAGE LICENSE
AND SECONDARY MORTGAGE REGISTRATION**

NOW, THEREFORE, based upon the factual findings set forth above and the files and records of OFIR, **IT IS HEREBY ORDERED THAT:**

1. This First Amended Final Order shall amend and replace the December 7, 2009, Final Order issued and entered in this matter.
2. The December 7, 2009, revocation of Respondent's first mortgage license and secondary mortgage registration is not terminated, set aside, or suspended by this First Amended Order.

3. The effective date of the revocation of Respondent's first mortgage license and secondary mortgage registration shall remain December 7, 2009.
4. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended in writing by the commissioner.

IT IS SO ORDERED.



Ken Ross
Commissioner