

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

Tim Rutherford,

Enforcement Case No. 12-11482

Respondent.

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**Issued and Entered,
This 15th day of May, 2012,
By **Stephen R. Hilker,**
Senior Deputy Commissioner**

**FINAL ORDER TO CEASE AND DESIST
AND
PAY CIVIL FINE**

I.

Findings of Fact

1. On March 7, 2012, pursuant to the Mortgage Brokers, Lenders, and Servicers Licensing Act (MBLSLA), MCL 445.1651 *et seq.*, and the Mortgage Loan Originator Licensing Act (MLOLA), MCL 493.131 *et seq.*, the Senior Deputy Commissioner issued to Respondent an ORDER TO CEASE AND DESIST, ASSESSMENT OF A CIVIL FINE, AND NOTICE OF OPPORTUNITY FOR HEARING (the "Order").
2. The Order, incorporated herein by this reference, ordered Respondent to cease and desist from violating the MBLSLA and MLOLA. Specifically, the Respondent was ordered to cease and desist from engaging in residential mortgage loan origination or mortgage broker activity without the requisite license.
3. The Order further ordered Respondent to pay a civil fine in the amount of FIVE HUNDRED DOLLARS (\$500.00).
4. The Order, served on Respondent in accordance with Section 16 of the MBLSLA, MCL 445.1666 and Section 25 of the MLOLA, MCL 493.155, advised Respondent that he was entitled to a hearing on this matter if Respondent filed a written request within 30 days of the date of the Order.

5. The Order was served on Respondent on or about March 8, 2012.
6. Respondent failed to file a written request for a hearing within 30 days as required by statute.

II.

Final Order to Cease and Desist and Pay Civil Fine

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

1. The factual allegations set forth in the Order shall be and hereby are found to be true and correct. Specifically, it is found that in violation of the MBLSLA and MLOLA, Respondent originated, or acted as a mortgage broker in connection with, at least one residential mortgage loan without being properly registered under the MBLSLA or licensed under the MLOLA.
2. A Final Order to **CEASE AND DESIST**, pursuant to MCL 445.1666 and MCL 493.155, shall be and hereby is issued and entered against Respondent.
3. Respondent shall pay to the state of Michigan, Office of Financial and Insurance Regulation, a **CIVIL FINE** in the amount of FIVE-HUNDRED DOLLARS (\$500.00) within 30 days of the date of issuance of this Order. The **CIVIL FINE** shall be tendered in the form of a certified check or money order payable to the state of Michigan. Pursuant to MCL 445.1658(8), the **CIVIL FINE** shall be deposited into the MBLSLA Fund with the Department of Treasury.
4. This Order shall be and is effective on the date it is issued, as shown in the caption hereof.
5. This Order shall remain in effect until terminated, modified, or set aside, in writing by the Commissioner of the Office of Financial and Insurance Regulation (the Commissioner).
6. The Commissioner specifically retains jurisdiction of the matter contained herein to issue such further order or orders as he may deem just, necessary, or appropriate so as to assure compliance with the law and protect the interest of the public.

IT IS SO ORDERED.



Stephen R. Hilker
Senior Deputy Commissioner