

**State of New Hampshire Banking Department**

<b>In re the Matter of:</b>	) <b>Case No.: 13-109</b>
	)
<b>State of New Hampshire Banking</b>	)
	)
<b>Department,</b>	)
	)
<b>                  Petitioner,</b>	) <b>Order Denying Respondents’</b>
	) <b>Motion for Rehearing</b>
<b>                  and</b>	)
	)
<b>The Mortgage Specialists, Inc. and Michael</b>	)
	)
<b>Gill,</b>	)
	)
<b>                  Respondents</b>	)
<hr/>	)

**Order Denying Respondents’ Motion for Rehearing**

1. The Respondents, The Mortgage Specialists, Inc. and Michael Gill, filed pursuant to N.H. RSA 541:3 a timely Motion for Rehearing dated October 17, 2013 (“Motion”) of the default judgment entered against them on September 17, 2013 (the “Default Judgment”).
2. Upon review of the Motion and the governing standards set forth in N.H. Admin. R. Jus 813.04(b) (1)-(2) and Admin. R. Jus 813.04(a), I, as Presiding Officer, find the Respondents have failed to identify errors of fact, reasoning, or law which would entitle the Respondents to a new hearing. The factual record that exists in this case demonstrates that the Respondents chose not to participate in August 20, 2013 hearing. Moreover, the Respondents agreed and assented, through the joint filing with the Petitioner, of an Assented-To Statement of Issues and Stipulated Facts. Those particular facts demonstrate non-compliance with the applicable statutes by which I, the Presiding Officer, levied fines as set forth within the Default Judgment. The decision for which a rehearing was not unlawful, unjust, or unreasonable, and as a result the Respondents’ Motion for Rehearing dated October 17, 2013 is denied.

3. The Respondents' additional Findings of Fact and Conclusions of Law submitted with their Motion as Exhibit A are hereby neither granted nor denied.
4. The Respondents have the right to appeal pursuant to the provisions of N.H RSA 541:6. Should Respondents decide to avail themselves of this process, counsel who filed the Motion for Respondents is instructed to file an appearance with the Department in this matter.

**SO ORDERED.**

Dated: October 28, 2013

**SIGNED,**

/S/  
Andrew B. Eills, Esq.  
Presiding Officer