

**STATE OF ILLINOIS  
DEPARTMENT OF FINANCIAL & PROFESSIONAL REGULATION  
DIVISION OF FINANCIAL INSTITUTIONS**

In the Matter of: )  
Michael Gasior ) 19TI103  
)

To: Michael Gasior  
3701 Algonquin Rd.  
Ste. 720  
Rolling Meadows, IL 60008

**ORDER TO CEASE AND DESIST**

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF FINANCIAL INSTITUTIONS (“Department”), having conducted an investigation of the activities of Michael Gasior (“Gasior”) pursuant to its authority under Section 21 of the Title Insurance Act, 215 ILCS 155/1 to /25 (“Act”), and Section 10-65 of the Illinois Administrative Act, 5 ILCS 100/1-1 to /15-10 (“APA”), hereby issues this **Order to Cease and Desist** (“Order”) for violations of the Act.

**STATUTORY PROVISIONS**

1. Section 24 of the Act states in relevant part:

Referral fee; penalty. Except as permitted by this Act or by federal law, regulations or opinion letters, no person shall pay or accept, directly or indirectly, any commission, discount, referral fee or other consideration as inducement or compensation for the referral of title business or for the referral of any escrow or other service from a title insurance company, independent escrowee or title insurance agent.

Any violation of this Section 24 is a Class A misdemeanor.

2. Section 21(a)(5) states:

(a) The Secretary may refuse to grant, and may suspend or revoke, any certificate of authority, registration, or license issued pursuant to this Act or may impose a fine for a violation of this Act if he determines that the holder of or applicant for such certificate, registration or license:

5) has paid any commission, discount or any part of its premiums, fees or other charges to any person in violation of any State or federal law or regulations or

opinion letters issued under the federal Real Estate Settlement Procedure Act of 1974.

3. Section 21(h) of the Act states, in relevant part:

The Secretary may issue a cease and desist order to a title insurance company, agent, or other entity doing business without the required license or registration, when in the opinion of the Secretary, the company, agent, or other entity is violating or is about to violate any provision of this Act or any law or of any rule or condition imposed in writing by the Department.

The Secretary may issue the cease and desist order without notice and before a hearing.

4. Section 23(a) of the Act provides:

(a) Any violation of any of the provisions of this Act and, beginning January 1, 2013, any violation of any of the provisions of Article 3 of the Residential Real Property Disclosure Act shall constitute a business offense and shall subject the party violating the same to a penalty of \$1000 for each offense.

5. Section 2607(a) of the Real Estate Settlement Procedures Act (RESPA) provides:

No person shall give, and no person shall accept any fee, kickback, or thing of value pursuant to any agreement or understanding, oral or otherwise that business incident to or a part of a real estate settlement service involving a federally related mortgage loan shall be referred to any person.

#### **FACTUAL FINDINGS**

6. Gasior is a registered title agent under the Act. See Group Exhibit A
7. On or about February 28, 2019 the Department became aware that Gasior advertises a ‘flat rate fee’ for \$95.00 in legal fees to handle a sellers’ residential real estate transaction. See Exhibit B, attached hereto and made a part of this Order.

#### **LEGAL FINDINGS**

8. Based on the foregoing, the Department finds that Gasior discounts fees to obtain title business in violation of Sections 21(a)(50 and 24 of the Title Insurance Act and Section 2607(a) of RESPA.

**NOW THEREFORE IT IS HEREBY ORDERED:**

1. Gasior cease and desist, pursuant to Section 21(h) of the Act from offering discounted fees to obtain title business in violation of Sections 21(a)(50 and 24 of the Title Insurance Act and Section 2607(a) of RESPA.
2. Gasior is ordered to **PRODUCE DOCUMENTS** to the Department, consisting of any and all real estate closing activity for Illinois residents, where your attorney fees were discounted from June 1, 2018 to February 28, 2019 by **April 22, 2019**.
3. That Gasior pay a penalty of \$1,000 for each offense.

Pursuant to Section 21.2(a) of the Act, service by mail shall be deemed complete when the Order is deposited as registered or certified mail in the post office, postage paid, addressed to the last known address specified in the application for the certificate of authority to do business or certificate of registration of the holder or registrant. Pursuant to Section 21(d) of the Act, Diamond may request, in writing, a hearing on the Order within 30 days of the date of service.

ORDERED THIS 21 DAY OF March, 2019.

  
Francisco Menchaca, Director  
Illinois Department of Financial and Professional Regulation  
Division of Financial Institutions

**CERTIFICATE OF SERVICE**

I, Louis Butler, Deputy General Counsel of the Illinois Department of Financial and Professional Regulation, hereby certify that on March 21, 2019, I caused a true copy of the foregoing Order to Cease and Desist to be served on the party named below, by causing the same to be sent via certified mail (certified mail receipt #70131710000132550701) to the following:

Michael Gasior  
3701 Algonquin Rd.  
Ste. 720  
Rolling Meadows, IL 60008

  
\_\_\_\_\_  
Louis Butler

**Supervisors for Michael T Gasior**

**Board :** Title Insurance  
**Status :** Active  
**Contact Name :** Chicago Title Insurance Company  
**Credential #:** TU.0000004(ACTIVE)

**Main Address :** Chicago Title Insurance Company  
601 Riverside Avenue  
Jacksonville, FL 32204

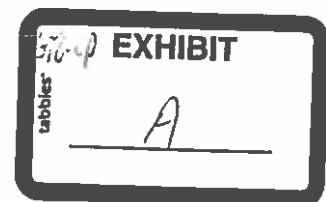
<b>Approved Date :</b>	<b>Received Date :</b>
<b>Inactive Date :</b>	<b>Start Date :</b> 12/23/2013
<b>Complete Date :</b>	<b>Change Date :</b>
<b>Expiration Date :</b>	<b>Supervisor Report</b>
	<b>Received Date :</b>

**Recommend :** N  
**Comments :** dob 3/16/1980, [Michael.Grasior@gmail.com]  
**Board :** Title Insurance  
**Status :** Active  
**Contact Name :** Fidelity National Title Insurance Company  
**Credential #:** TU.0000013(ACTIVE)

**Main Address :** Fidelity National Title Insurance Company  
601 Riverside Avenue  
Suite 201  
Jacksonville, FL 32204

<b>Approved Date :</b>	<b>Received Date :</b>
<b>Inactive Date :</b>	<b>Start Date :</b> 01/17/2014
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	<b>Received Date :</b>

**Recommend :** N  
**Comments :** DOB 3/6/1980; Servicing Company: Alliance Title Corporation



MICHAEL T. GASIOR

ATTORNEY AT LAW

MAIN OFFICE: 3701 ALGONQUIN ROAD, SUITE 720 ROLLING MEADOWS, IL 60008 TEL.: (847) 890-2101

Dear Sir or Madam,

You recently listed your property with **Century 21 Affiliated** and I am letting you know that you can hire me as your attorney to represent you on the sale of your property for a flat fee of **\$95.00**. This fee is only collected upon a successful closing.

I have been involved in real estate transactions for over 17 years and an attorney for the last 6 years. I am confident I can provide you with superior service at a competitive price.

I will perform all duties necessary for a productive closing. I will analyze, negotiate and approve the purchase contract, order and examine title on your behalf, communicate with all parties throughout the process, order all documents needed, and finally review and explain all documents at the closing.

Please feel free to contact me at (847) 890-2101 with any questions or concerns. I look forward to providing you with superior service at a competitive price.

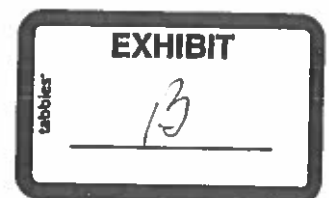
Very truly yours,

*Michael Gasior*

Michael T. Gasior  
Attorney at Law  
Phone: (847) 890-2101

E-mail: [contracts@gasiorlaw.com](mailto:contracts@gasiorlaw.com)  
Fax: (312) 445-8823

25 closing locations available throughout Chicagoland. Open Saturdays & Sundays from 9AM-1PM



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Very truly yours,

*Michael Gasior*

**Michael T. Gasior**  
Attorney at Law  
Phone: **(847) 890-2101**

E-mail: [contracts@gasiorlaw.com](mailto:contracts@gasiorlaw.com)  
Fax: **(312) 445-8823**

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**Board :** Title Insurance  
**Status :** Active  
**Contact Name :** Chicago Title Insurance Company  
**Credential #:** TU.0000004(ACTIVE)

**Main Address :** Chicago Title Insurance Company  
 601 Riverside Avenue  
 Jacksonville, FL 32204

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