



**Georgia Department
of Banking & Finance**

**NON-DEPOSITORY
FINANCIAL
INSTITUTIONS**

Monthly Summary of Mortgage Activities For the Period Ending February 2006

Inside this issue:

Telemarketing	1
FY 2007 Renewals	2
Treasury Bonds	2
Administrative Actions	3
Fines & Licensing Actions	5

ACTIVITIES THAT REQUIRE LICENSING: Applications, Pre-Quals, & Referrals—Individuals & Companies

The Department is often asked to clarify what activities require a license for a company to sell mortgage leads to licensees or collect information from potential borrowers. The requirement for a license depends on the information taken, which might be considered an “application” for state licensing purposes, as well as other factors. The following discussion applies whether the information is gathered through the use of standard phone telemarketing means, via the internet, or through any other means.

Individuals or companies who, at their own initiative and without a written contract to solicit from a Georgia Residential Mortgage Act (Act) licensee, contact Georgia consumers and generate a list of potential residential mortgage contacts for sale to GRMA licensees, are required to be licensed under the Act.

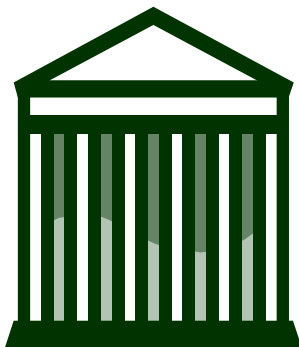
Those who contact Georgia consumers and generate a list of potential residential

mortgage contacts under a written contract to do so from a licensee are not required to be licensed under the Act provided:

- ◆ The individual/company makes it clear that it is contacting the consumer on the behalf of a specific licensee;
- ◆ The fee for the leads is a flat fee and not based on a “per loan closed” basis;
- ◆ The individual/company must be in the lead generation business and not work solely for the licensee and perform any other mortgage related functions for the licensee;
- ◆ The individual or company may only gather **minimal contact type** and **non-specific** property or other personal information from the consumer, such as property value **ranges** or income **ranges**. Information sufficient to verify credit, verify employment, income,

date of birth, etc. constitutes an application and cannot be collected by the individual or company unless it is individually licensed. If any of the above information is taken by the individual or company, then the licensee is required to record the transaction on the mortgage loan transaction journal. Also, the licensee is required to maintain a loan file for the transaction.

The contractual scenario provides for very limited mortgage data collection and mortgage type activity on the part of the individual or company in order to preclude the need for a license. As noted, the activity should be limited to minimal collection of general contact data that would allow the licensee to contact prospective borrowers based on their request for information.



**2990 Brandywine Rd.
Suite 200
Atlanta, GA 30341
Phone: 770.986.1269
Fax: 770.986.1029**

FY 2007 RENEWALS

FY2007 license renewal notices were mailed out February 6, 2006. You may contact the office at renewal@dbf.state.ga.us if you have not received your renewal notification. Please note the following:

ON-LINE ONLY!!

NO hardcopy renewal application forms are available. Renewals must be made on-line. In the event you are absolutely unable to access the on-line renewal application contact the Department.

WHERE & HOW TO FILE

A RENEWAL link is available from the main mortgage forms web page: <https://bkgfin.dbf.state.ga.us/MortgageDocs/FY2007Renewal.html>.

WHAT TO DO

ALL licensees will be responsible for the following on-line:

- ◆ Updating and correcting license information;
- ◆ Completing the Calendar Year 2005 operating information;

- ◆ Making fee and fine payments and attesting to the renewal information.

The licensee will be notified by either e-mail or fax **only** if additional information is required. Applicants who have no qualifying conditions to their renewal should receive no further notice from the Department after completion of the application until they receive their license.

NEW FEATURES

- ◆ NO hardcopy applications accepted.

- ◆ Payment must be made by ACH draft or credit card.

- ◆ Licensee notified by e-mail or fax **ONLY** if there are outstanding issues.

- ◆ AUDITS may no longer be used to qualify for licensing, and a surety bond or qualifying letter of credit is required.

CONTINUING EDUCATION-BROKERS

The continuing education requirement goes into effect with the **FY2008** licensing period.

General Requirements:

- ◆ 12 hours of continuing education credit required;

- ◆ Obtain initial hours in the period January 1, 2006 through March 1, 2007;

- ◆ Credit reporting begins with FY2008 licensing period of 7-1-2007 to 6-30-2008.

NO continuing education credit reporting is required for the FY2007 renewal period.

Treasury Bonds

For those of you who work with compliance on the APR threshold for GAFLA and HOEPA, the Treasury has resumed issuance of 30-year bonds on a semi-annual basis, which it stopped selling in March 2002. The first auction was in February 2006, and the next auction is scheduled for August 2006.

AUDITS

DO NOT SUBMIT YOUR AUDITED FINANCIALS TO THE DEPARTMENT!

ONLY BONDS OR LETTERS OF CREDIT MAY BE USED TO MEET THE FINANCIAL REQUIREMENTS FOR A LICENSE!

UPCOMING SPEAKING ENGAGEMENTS

Deputy Commissioner for Non-Depository Financial Institutions Rod Carnes will be speaking to the Atlanta Mortgage Bankers Association (AMBA) on Tuesday, March 14, 2006. The luncheon will be held at the Holiday Inn Select on Chamblee-Dunwoody Road.

ON-LINE ACCESS	https://bkgfin.dbf.state.ga.us/MortgageDocs/FY2007Renewal.html
User ID	Your License Number
Password	Your SSN or EIN on file with the Department

CEASE AND DESIST ORDERS—ISSUED

- ◆ **Global Mortgage, Inc., Clearwater, FL, (license no. 19642)** – Cease and Desist Order issued February 3, 2006 became final on February 24, 2006.
- ◆ **Hale, Bonnie Clark, Lawrenceville, GA (license no. 20276)** – Cease and Desist Order issued January 12, 2006 became final on February 10, 2006.
- ◆ **Hess, JoAnn, Lawrenceville, GA (license no. 13364)** – Cease and Desist Order issued January 20, 2006 became final on February 21, 2006.
- ◆ **McCoy, Michael, College Park, GA** – Cease and Desist Order issued February 3, 2006 became final on February 23, 2006.
- ◆ **Millian Bishar-Ra Terrell, College Park, GA (license no. 11456)** – Cease and Desist Order issued January 20, 2006 became final on February 19, 2006.
- ◆ **Wayne Frier Home Center of Byron, LLC, Byron, GA (license no. 18349)** – Cease and Desist Order issued January 24, 2006 became final on February 23, 2006.

CEASE AND DESIST ORDERS—LIFTED

- ◆ None

FINAL CONSENT ORDERS—ISSUED

- ◆ **Ologundudu, Michael Y., Marietta, GA** – Consent Order issued February 20, 2006 became final on February 20, 2006.

SUPERIOR COURT INJUNCTIONS

- ◆ **Brown, Sonya, Stone Mountain, GA** - Superior Court Order issued February 9, 2006 became final on February 9, 2006.

FINE PUBLICATION

Information regarding fines assessed against a specific licensee, and against whom there are no pending administrative actions, is available on an individual licensee basis by submitting a written request to the following e-mail address: dbfmort@dbf.state.ga.us

FINE REASON

- | | |
|--|--|
| 5 Licensees fined for Advertising Violations | 3 Licensees fined for Loan files not properly maintained |
| 3 Licensees fined for Background Check Violations | 1 Licensee fined for \$6.50 fees not paid |
| 2 Licensees fined for Books & Records | 2 Licensees fined for Prohibited Acts |
| 1 Licensee fined for Unapproved Branch | 1 Licensee fined for Prohibited Acts |
| 1 Licensee fined for Unapproved Branch Manager | 1 Licensee fined for Miscellaneous/Other |
| 1 Licensee fined for Change-In-Mgmt without notice | 1 Licensee fined for doing business with Unlicensed Entity |

LICENSEES/REGISTRANTS APPROVED OR REINSTATED IN FEBRUARY 2006

ID#	COMPANY NAME	CITY	ST	MB	ORIGINAL APPROVAL	RENEWAL	REINSTATED
20187	Birchwood Capital, LLC *	Atlanta	GA	L	04-01-2005	02-03-2006	
21063	America's First Choice Lending	Suwanee	GA	B	02-03-2006	02-03-2006	
21115	Direct Mortgage Corp.	Salt Lake City	UT	L	02-03-2006	02-03-2006	
21151	BNP Paribas Mortgage Corp.	New York	NY	L	02-03-2006	02-03-2006	
21157	Edwyn Kyle Barfield	Snellville	GA	B	02-03-2006	02-03-2006	
21159	Brooks Capital Lending Corp.	Boynton Beach	FL	B	02-03-2006	02-03-2006	
21161	Jennifer Cherise Howard	Union City	GA	B	02-03-2006	02-03-2006	
21164	WW Financial Services, Inc.	Atlanta	GA	B	02-03-2006	02-03-2006	
21165	Fairfield Financial Mtg Grp, Inc.	Danbury	CT	L	02-03-2006	02-03-2006	
21167	Transcontinental Lending Grp	Ft. Lauderdale	FL	L	02-03-2006	02-03-2006	
21181	New Southern Mortgage, LLC	Douglasville	GA	B	02-03-2006	02-03-2006	
21185	Timberline Mortgage, Inc.	Hiawassee	GA	B	02-03-2006	02-03-2006	
21204	CTM Finance Corporation	Maitland	FL	L	02-03-2006	02-03-2006	
20669	Hargrow & Associates, Inc. *	Ann Arbor	MI	L	08-19-2005	02-10-2006	
21116	Dorothy J. McKinzie	Woodstock	GA	B	02-10-2006	02-10-2006	
21135	Regal Mtg Funding Grp, Inc.	Cartersville	GA	B	02-10-2006	02-10-2006	

LICENSEES/REGISTRANTS APPROVED OR REINSTATED IN FEBRUARY 2006							
ID#	COMPANY NAME	CITY	ST	MB CODE	ORIGINAL APPROVAL	RENEWAL	REINSTATED
21154	Superior Home Loan, Inc.	Doraville	GA	B	02-10-2006	02-10-2006	
21176	Professional Mtg Consultants	Canton	GA	B	02-10-2006	02-10-2006	
21178	North American Home Funding	Westlake	CA	B	02-10-2006	02-10-2006	
21186	Thomas S. Johnston	Marietta	GA	B	02-10-2006	02-10-2006	
21190	Barry William Honea	Marietta	GA	B	02-10-2006	02-10-2006	
21191	AllState Financial Mtg, LLC	Atlanta	GA	B	02-10-2006	02-10-2006	
21205	Jason Bobby Hawkins	Atlanta	GA	B	02-10-2006	02-10-2006	
21207	Southeast Georgia Equity, Inc.	Saint Marys	GA	B	02-10-2006	02-10-2006	
21208	Abbey Investments, LLC	Lilburn	GA	B	02-10-2006	02-10-2006	
21064	Erik Waterman, Inc.	Marietta	GA	B	02-17-2006	02-17-2006	
21086	Metamerica Mortgage Lenders, Inc.	Virginia Beach	VA	L	02-17-2006	02-17-2006	
21137	Absolute Mtg Co, Inc (PA)	West Chester	PA	L	02-17-2006	02-17-2006	
21158	Fairway Independent Mtg Corp	Sun Prairie	WI	L	02-17-2006	02-17-2006	
21160	Rogers Lee Baxter	Stone Mountain	GA	B	02-17-2006	02-17-2006	
21172	D.A.S.H. for LaGrange, Inc.	LaGrange	GA	L	02-17-2006	02-17-2006	
21174	Fidelity Professional Realty	Lithonia	GA	B	02-17-2006	02-17-2006	
21183	Luke Edward Daniels	Kennesaw	GA	B	02-17-2006	02-17-2006	
21189	William Phillip Thomas	Cartersville	GA	B	02-17-2006	02-17-2006	
21194	Jennifer Brewer-Maddox	Savannah	GA	B	02-17-2006	02-17-2006	
21196	Strategic Capital Mortgage, Inc.	Troy	MI	L	02-17-2006	02-17-2006	
21200	Watermark Mortgage, LLC	Cumming	GA	B	02-17-2006	02-17-2006	
21233	EPI Mortgage Center, Inc.	Middlebury	CT	L	02-17-2006	02-17-2006	
21059	Matrix Financial, LLC	Atlanta	GA	B	02-24-2006	02-24-2006	
21089	Apex Financial & Inv, Inc.	Duluth	GA	B	02-24-2006	02-24-2006	
21201	IIM Mortgage Services, LLC	Atlanta	GA	B	02-24-2006	02-24-2006	
21228	Loanation.com, Inc.	Corona	CA	B	02-24-2006	02-24-2006	
21229	Pope Mortgage & Assoc, Inc.	Ontario	CA	B	02-24-2006	02-24-2006	
21254	Frantz Ciceron & Assoc, Inc.	Brooklyn	NY	B	02-24-2006	02-24-2006	
21056	Sallie Mae Home Loans, Inc.	Novi	MI	L	02-03-2006	04-05-2006	
21136	Greenleaf Financial, Inc.	Ellenwood	GA	B	02-03-2006	04-05-2006	
21184	Mary D. Bairstow Mtg, Inc.	Atlanta	GA	B	02-03-2006	04-05-2006	
13196	Omni Financial Services, Inc.	Hoffman Estates	IL	B	02-13-1998	02-10-2006	02-10-2006
TOTAL: 48							

MB CODES

B = BROKER

L = LENDER

R = REGISTRANT

*	Upgrade Broker to Lender
+	Downgrade Lender to Broker
#	Upgrade Lender to Registrant
•	Downgrade Registrant to Lender

**LICENSEES/REGISTRANTS REVOKED, EXPIRED, SUSPENDED, WITHDRAWN OR DENIED
IN FEBRUARY 2006**

ID#	NAME	CODE	REVOKED	EXPIRED	SUSPENDED	WITHDRAWN	DENIED
5758	RES MTG BROKERS INC	BD				02-10-2006	
6024	WASHTENAW MTG CO	LD				02-16-2006	
6641	WELLS FARGO FINL ACC	RD				02-01-2006	
11456	TERRELL, MILLIAN B	BD		02-19-2006			
13364	HESS, JOANN	BD		02-21-2006			
13485	GBC FUNDING INC	RD				02-10-2006	
16435	WELLS FARGO FINL ACC	RD				02-01-2006	
16561	QUALITY MTG SVCS INC	BD				02-10-2006	
16643	SOURCE ONE MTG	BD				02-24-2006	
17371	ARENCIBIA FINL SVCS INC	BD				02-09-2006	
17541	1ST ST MTG CO	BD				02-09-2006	
17779	PARTNERSHIP MTG INC	BD				02-14-2006	
18349	WAYNE FRIER HM CTR	BD		02-23-2006			
18451	LEEWORTH MTG CORP	BD				02-06-2006	
19174	AMER DIVERSIFIED MTG	BD				02-27-2006	
19354	PRIME LENDING LLC	BD				02-14-2006	
19540	AEGIS CORRESPONDENT	LD				02-16-2006	
19881	MYLOR FINL GRP INC	LD				02-06-2006	
20276	HALE, BONNIE CLARK	BD		02-10-2006			
TOTALS: 19							

2006 Legislation

To check legislation pending for the 2005-2006 Legislative Session, go to the General Assembly's website at:

http://www.legis.ga.gov/legis/2005_06/leg/legislation.htm