

**BEFORE THE GEORGIA DEPARTMENT OF BANKING AND FINANCE  
STATE OF GEORGIA**

FAMILY HOME LOANS, LLC \*  
\*  
Petitioner, \*  
v. \*  
\*  
GEORGIA DEPARTMENT OF \*  
BANKING AND FINANCE, \*  
\*  
Respondent. \*

Docket Number: DBF-08-011

\_\_\_\_\_  
TONY ROGERS, \*  
\*  
Petitioner, \*  
v. \*  
\*  
GEORGIA DEPARTMENT OF \*  
BANKING AND FINANCE, \*  
\*  
Respondent. \*

**CONSENT ORDER**

On September 19, 2008, the Georgia Department of Banking and Finance (the "Department") issued a Notice of Intent to Revoke Annual License to Family Home Loans, LLC ("Family Home Loans"), mortgage broker's license number 20392, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.*, including making false statements or misrepresenting material facts to lenders in violation of O.C.G.A. § 7-1-1013(1), (2) and (6); failing to properly maintain a mortgage loan transaction journal in violation of Department Rule 80-11-2-.03; and transacting business in violation of O.C.G.A. § 7-1-1002(a) and (b) with a person who is unlicensed and unregistered, not exempt from licensing and registrations requirements and who is

not an employee of a mortgage broker or lender, and directly or indirectly controlling a person who violated O.C.G.A. § 7-1-1002(a) and (b).

On this same day, in conjunction with these same violations, the Department issued a proposed Order to Cease and Desist to Tony Rogers, the chief executive officer of Family Home Loans.

The parties have discussed a settlement of the issues raised by the Notice of Intent to Revoke Annual License and proposed Order to Cease and Desist and have agreed to a resolution of these matters in their entirety.

Accordingly, it is hereby ORDERED as follows:

1. The revocation of the mortgage broker's license of Family Home Loans shall be final upon entry of this Consent Order; provided, however, that such revocation shall not be deemed to preclude the authority of Family Home Loans to conduct the activities specifically authorized by this Consent Order in Paragraph 2 below. The revocation of the mortgage broker's license of Family Home Loans will be published by the Department. Family Home Loans will never apply to the Department for another mortgage broker's license and will never file an application with the Department seeking a mortgage lender's license.

2. Family Home Loans will not accept any new loan applications after 5:00 p.m. on October 3, 2008, and will cease all of its remaining Georgia residential mortgage activities by no later than November 15, 2008. For purposes of this Consent Order, "remaining Georgia residential mortgage activities" means obtaining funding for the Georgia residential loan applications received by Family Home Loans on or before 5:00 p.m. on October 3, 2008 ("Pending Applications"). If requested by Family Home Loans or other lender that may fund a Pending Application, the Department will confirm that

Family Home Loans is authorized to process and close Pending Applications through November 15, 2008. In the event Family Home Loans has not obtained funding for a Pending Application on or before November 15, 2008, then Family Home Loans must cease all work on the Pending Application and provide the consumer's file to another broker or lender at the request of that consumer. If any consumers have remitted funds to Family Home Loans on Pending Applications, then Family Home Loans must refund all funds paid by consumers or have the new broker or lender who takes the consumers' loans give the consumers credit for their payments. During the time that it is processing its Pending Applications, Family Home Loans shall work cooperatively with all employees in its Georgia offices to facilitate the processing of borrowers' loans. Upon completion of all of the remaining mortgage broker activities, but no later than November 15, 2008, Family Home Loans' chief executive officer, Tony Rogers, shall provide a written sworn statement to the Department indicating that Family Home Loans has concluded all of its residential mortgage activities in Georgia.

3. Tony Rogers only shall be affiliated with a mortgage broker or mortgage lender as an employee for three years from the date of entry of this Consent Order irrespective of whether the broker or lender is exempt from the licensing requirements of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* If Tony Rogers works as an employee for a mortgage broker or mortgage lender during this three-year period, he must inform the Department in writing within seven (7) days of the name and address of each and every employer for whom he may work. The written notification shall be mailed to:

Georgia Department of Banking and Finance  
Attention: Director of Mortgage Supervision  
2990 Brandywine Road, Suite 200  
Atlanta, Georgia 30341

4. Tony Rogers is prohibited from directing the affairs of a mortgage broker or mortgage lender or from acting as a director, officer, partner, equitable owner, or any other equivalent role for a mortgage broker or mortgage lender during the three-year period that this Consent Order is in effect. Further, Tony Rogers is prohibited from acting as a branch manager for a Georgia mortgage broker or Georgia mortgage lender during this three-year period.

5. Tony Rogers is prohibited from applying for a mortgage broker's or mortgage lender's license, either in his individual capacity or as the owner or officer of a corporation, partnership, or limited liability company, for three years from the date of entry of this Consent Order.

6. Family Home Loans shall contribute \$500.00 to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the Nationwide Mortgage Licensing System, jointly sponsored by CSBS and the American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds made payable to the "State Regulatory Registry, LLC" and shall be remitted contemporaneously with the entry of this Consent Order.

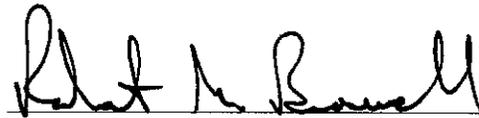
7. The Department shall withdraw the proposed Order to Cease and Desist issued to Tony Rogers after the entry of this Consent Order.

8. The entry of this Consent Order will resolve the matters pending against Family Home Loans and Tony Rogers that were identified by the Department in its Notice of Intent to Revoke Annual License and proposed Order to Cease and Desist.

9. The terms of this Consent Order may be enforced by the Department pursuant to O.C.G.A. §§ 7-1-1017(g) and 7-1-1018(b).

10. This Consent Order shall be regarded as a public document that the Department may publish in the same manner as a final order of this agency.

SO ORDERED, this 9th day of October 2008.



ROBERT BRASWELL

Commissioner

Georgia Department of Banking and Finance

Consented to by:



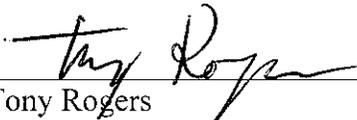
Rod Carnes

Deputy Commissioner

Georgia Department of Banking and Finance

2990 Brandywine Road, Suite 200

Atlanta, Georgia 30341



Tony Rogers

Family Home Loans, LLC

4500 Hugh Howell Road

Tucker, Georgia 30084

Individually and in His Capacity as Chief Executive Officer of

Family Home Loans, LLC