

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

AMSTAR FINANCIAL MORTGAGE, INC.
Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE
Respondent

LORRAINE EVANS
Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE
Respondent

FILED

MAR 10 2009

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

DOCKET NO. DBF-MBL-09-002

CONSENT ORDER

On February 9, 2009, the Georgia Department of Banking and Finance (“Department”) issued a proposed Notice of Intent to Revoke Annual License to AmStar Financial Mortgage, Inc., mortgage broker license number 20524, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* (“GRMA”), including employing a felon in violation of O.C.G.A. § 7-1-1004(d); 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 registration requirements and who is not an employee of a mortgage broker or lender; and, in violation of O.C.G.A. § 7-1-1002(c), for directly or indirectly controlling a person who violated O.C.G.A. § 7-1-1002(a) and (b).

On this same day, the Department issued a proposed Order to Cease and Desist to Lorraine Evans, CEO of AmStar Financial Mortgage, Inc. for employing a felon in violation of O.C.G.A. § 7-1-1004(d); 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 registration requirements and who is not an employee of a mortgage broker or lender; and, in violation of O.C.G.A. § 7-1-1002(c), for directly or indirectly controlling a person who violated O.C.G.A. § 7-1-1002(a) and (b).

On February 24, 2009, hearings were requested to contest the proposed Notice of Intent to Revoke Annual License issued to AmStar Financial Mortgage, Inc. and the proposed Order to Cease and Desist issued to Lorraine Evans.

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

Accordingly, it is hereby ORDERED as follows:

1. AmStar Financial Mortgage, Inc. shall perform background checks for all new employees before or within 10 days of their initial hire. All background checks of employees that handle Georgia residential loan transactions shall be processed by the Georgia Crime Information Center. No individual shall be employed by AmStar Financial Mortgage, Inc. if he or she is a first offender under sentence for the commission of a felony; entered a plea of nolo contendere to a felony charge; has been adjudicated without guilt for the commission of a felony; or has entered a plea to or has been convicted of a felony for which an official certification or pardon has not been obtained that removes the legal disabilities resulting from such conviction and restores civil and political rights. AmStar Financial Mortgage, Inc. will have the Georgia Crime Information Center perform background checks annually on its existing employees. Results of background checks shall be maintained in employees' personnel files and made available to the Department upon request.

2. AmStar Financial Mortgage, Inc. shall maintain complete mortgage loan files in compliance with Department Rule 80-11-2-.04, including loan files that were denied or withdrawn. The contents of each loan file shall include, but not be limited to, the documents identified in Department Rule 80-11-2-.04(2).

3. AmStar Financial Mortgage, Inc. shall maintain all checkbooks, bank statements, deposit slips and canceled checks which pertain to the mortgage brokerage and/or lending business of AmStar Financial Mortgage, Inc., and all other books, accounts, and records identified by Department Rule 80-11-2-.02.

4. Within 60 days of the effective date of this Consent Order, AmStar Financial Mortgage, Inc. shall provide to the Department a written progress report detailing the actions that have been and will be undertaken to comply with the terms of this Consent Order.

5. AmStar Financial Mortgage, Inc. will strictly comply with the terms of this Consent Order, the Georgia Fair Lending Act, O.C.G.A. § 7-6A-1 *et seq.*, and the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.*, as well as the Department's Rules enacted pursuant thereto. Failure to do so may result in additional administrative action being brought against AmStar Financial Mortgage, Inc. and any of its employees or agents.

6. AmStar Financial Mortgage, Inc. withdraws its request for a hearing regarding the Notice of Intent to Revoke Annual License issued by the Department on February 9, 2009.

7. The Department shall withdraw the proposed Notice of Intent to Revoke issued to AmStar Financial Mortgage, Inc. after the entry of this Consent Order.

8. Lorrain Evans withdraws her request for a hearing regarding the proposed Cease and Desist Order issued by the Department on February 9, 2009.

9. The Department shall withdraw the proposed Cease and Desist Order issued to Lorraine Evans after the entry of this Consent Order.

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

11. The 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 AND ENTERED, this 10th day of March 2009.



ROBERT M. BRASWELL

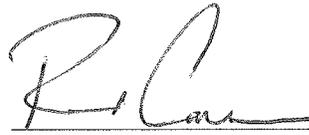
Commissioner

Georgia Department of Banking and Finance

Consented to by:



Ms. Lorraine Evans, CEO
AmStar Financial Mortgage, Inc.
1271 W. Spring St. SE
~~Building 6 Suite 202~~
Smyrna, Georgia 30080



Rod Carnes, Deputy Commissioner
Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 3034

In her individual capacity and as CEO of
AmStar Financial Mortgage, Inc.