

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

CENTRAL FIDELITY MORTGAGE
CORPORATION

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

KIM STRAIN

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

FILED

JUL 30 2009

**GEORGIA DEPARTMENT OF
BANKING AND FINANCE**

DOCKET NO. DBF-MBL-09-011

CONSENT ORDER

On April 21, 2009, the Georgia Department of Banking and Finance (“Department”) issued a proposed Notice of Intent to Revoke Annual License to Central Fidelity Mortgage Corporation, mortgage broker license number 20543, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* (“GRMA”), including purposefully withholding information requested by an examiner for purposes of conducting an examination in violation of O.C.G.A. § 7-1-1013(11).

On this same day, the Department issued a proposed Order to Cease and Desist to Kim Strain, Chief Executive Officer of Central Fidelity Mortgage Corporation, for purposefully withholding information requested by an examiner for purposes of conducting an examination in violation of O.C.G.A. § 7-1-1013(11).

On May 11, 2009, hearings were requested to contest the Notice of Intent to Revoke Annual License and the proposed Order to Cease and Desist.

The parties have reached a settlement of the issues raised by the Notice of Intent to Revoke Annual License and the proposed Order to Cease and Desist and have agreed to the following resolution:

Accordingly, it is hereby ORDERED as follows:

1. Upon entry of this Consent Order, the revocation of the mortgage broker's license of Central Fidelity Mortgage Corporation will be final and will be published by this Department. Central Fidelity Mortgage Corporation will never apply to the Department for another mortgage broker license and never submit an application for a mortgage lender's license.

2. Ms. Strain shall attend in-person and successfully complete at least 4 hours of continuing mortgage education from a Department approved provider on the subject matter of fraud. Thereafter, Ms. Strain shall provide the Department with a copy of a certificate(s) issued by the approved mortgage education provider documenting her attendance and successful completion of this requirement, which subsequently may be verified by the Department. Upon providing the Department with a copy of the above certificate(s), Ms. Strain will be free to work in the mortgage industry subject to compliance with the terms of the Georgia Residential Mortgage Act and the limitations set forth in Paragraphs 3, 4 and 5.

3. Ms. Strain 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 five-year period following the date of entry of this Consent Order. Further, Ms. Strain is prohibited from acting as a branch manager for a Georgia mortgage broker or Georgia mortgage lender during this five-year period.

4. Ms. Strain is prohibited from applying for a mortgage broker's or mortgage lender's license, either in her individual capacity or as the owner or officer of a corporation, partnership or limited liability company, for five years from the date of entry of this Consent Order.

5. Ms. Strain shall only be affiliated with a Georgia mortgage broker or Georgia mortgage lender as a W-2 employee for five years from the date of entry of this Consent Order. If Ms. Strain were ever to work in the mortgage industry during this five-year period, she must notify the Department in writing within seven (7) days of the name and address of each and every employer for whom she may work.

6. Ms. Strain 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 GRMA, as well as the Department's Rules enacted pursuant thereto. Failure to do so may result in additional administrative action being brought against Ms. Strain.

7. The entry of this Consent Order will resolve the Notice of Intent to Revoke Annual License issued to Central Fidelity Mortgage Corporation and the proposed Order to Cease and Desist issued Ms. Strain.

8. Ms. Strain withdraws the request for hearings made to contest the Notice of Intent to Revoke Annual License and proposed Order to Cease and Desist that was received by the Department on May 11, 2009.

9. The Department shall rescind the Cease and Desist Order issued to Ms. Strain upon entry of this Consent Order.

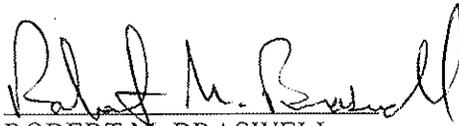
10. All written notifications required by this Consent Order shall be mailed to:

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

11. The terms of this Order may be enforced by the Department in accordance with the remedies afforded by law, including but not limited to O.C.G.A. §§ 7-1-1017(g) and 7-1-1018(b).

12. 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 30th day of July 2009.



ROBERT M. BRASWELL
Commissioner
Georgia Department of Banking and Finance

Consented to by:



Ms. Kim Strain
P.O. Box 450013
Atlanta, Georgia 31145



Rod Carnes, Deputy Commissioner
Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

In her individual capacity and as CEO of
Central Fidelity Mortgage Corporation