

IN THE SUPERIOR COURT OF CHEROKEE COUNTY  
STATE OF GEORGIA

DEPARTMENT OF BANKING AND  
FINANCE,

Plaintiff,

v.

ROBERT VANCE BIBB,

Defendant.

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Civil Action No. 10CV0805JH

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
CHEROKEE COUNTY, GA  
2010 MAY -4 AM 8:14  
PATTY BAKER, CLERK

**FINAL CONSENT ORDER**

Plaintiff filed this case pursuant to the authority vested in Plaintiff by the Georgia Residential Mortgage Act. Plaintiff and Defendant have discussed this matter and reached a resolution of all claims in this action and agree to the terms of this Order.

**THE PARTIES STIPULATE TO THE FOLLOWING FACTS AND  
CONCLUSIONS OF LAW:**

On October 29, 2009, Plaintiff issued an Order to Cease and Desist to Defendant. The Order to Cease and Desist provides in pertinent part that "because you are a felon it is unlawful for you to be employed in the Georgia mortgage brokering or lending industry" and "[t]he Department may not issue a license to a person that has been convicted of a felony." The Order to Cease and Desist became a final Order by operation of law on December 1, 2009. The Plaintiff has alleged that after the Order to Cease and Desist became final, Defendant worked for a licensed mortgage lender and/or brokered loans in violation of the Georgia Residential Mortgage Act. The Plaintiff has also alleged that after the Order to Cease and Desist became final, Defendant, through the use of the websites <http://www.zillow.com/profile/Mortgage-America/> and

<http://mortgageamericaba.instantlender.com> continued to engage in mortgage broker or lender activities by directly or indirectly soliciting, processing, placing, or negotiating mortgage loans for others, or offering to solicit, process, place, or negotiate mortgage loans for others. Defendant does not admit to knowingly violating the final Cease and Desist Order, the Georgia Residential Mortgage Act or the rules and regulations of the Department of Banking and Finance.

It is HEREBY ORDERED AS FOLLOWS:

1) The Court grants declaratory relief finding that Defendant violated the Order to Cease and Desist by working for a licensed mortgage lender and/or brokering loans after the Order to Cease and Desist was final. The Court grants further declaratory relief finding that Defendant violated the Order to Cease and Desist by engaging in mortgage broker and lender activities by directly or indirectly soliciting, processing, placing, or negotiating mortgage loans for others, or offering to solicit, process, place, or negotiate mortgage loans for others.

2) Defendant is hereby enjoined from further violation of the Order to Cease and Desist issued by Plaintiff on October 29, 2009.

3) Defendant is hereby enjoined from operating as a mortgage lender or mortgage broker or being employed in any capacity by a Georgia mortgage lender or Georgia mortgage broker, including, but not limited to, as a mortgage loan originator, until after he has obtained the appropriate mortgage license(s) from Plaintiff, which Defendant cannot apply for before December 1, 2014.

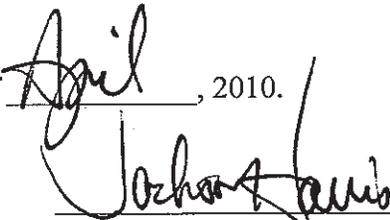
4) Defendant is hereby enjoined from soliciting, processing, placing, or negotiating primary Georgia residential loans via the internet or otherwise until after he

has obtained the appropriate mortgage license(s) from Plaintiff, which Defendant is precluded from applying for until after December 1, 2014.

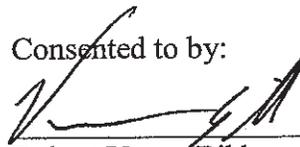
5) Defendant shall comply fully with the terms of the Order to Cease and Desist and this Final Consent Order.

6) The terms of this Final Consent Order may be enforced by filing a motion for contempt in the Superior Court of Cherokee County or by any other action deemed appropriate by the Plaintiff.

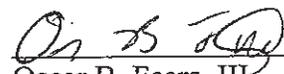
SO ORDERED, this 30 day of April, 2010.

  
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N. JACKSON HARRIS  
Judge, Superior Court  
Blue Ridge Circuit

Consented to by:

  
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