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Department of Banking and Finance

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Sonny Perdue
Governor

Robert M. Braswell
Commissioner

October 2, 2007

VIA CERTIFIED MAIL – 7002 2410 0001 2664 8616

Adan Herzi
4470 Boatsman Cove
Stone Mountain, Georgia 30083

ORDER TO CEASE AND DESIST

Pursuant to O.C.G.A. § 7-1-1018(a), the Georgia Department of Banking and Finance (“Department”) hereby orders you, Adan Herzi, to cease and desist from engaging in activities in violation of the Georgia Residential Mortgage Act (“GRMA”), O.C.G.A. § 7-1-1000 *et seq.* The Department has documentation showing that you violated the Georgia Residential Mortgage Act (“GRMA”), O.C.G.A. § 7-1-1000 *et seq.* Specifically, the Department has documentation showing you failed to run background checks on all employees in violation of O.C.G.A. § 7-1-1004(e) and (f); failed to properly maintain a mortgage loan transaction journal in violation of Department Rule 80-11-2-.03; and transacted 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. Further, in violation of O.C.G.A. § 7-1-1002(c), you directly or indirectly controlled a person who violated O.C.G.A. § 7-1-1002(a) and (b).

Pursuant to the provisions of O.C.G.A. § 7-1-1018, you may request a hearing to contest this Order. This hearing, at which the Department will present its evidence and be represented by the Office of the Attorney General, will be before a judge of the Office of State Administrative Hearings. You may retain counsel of your choice. You may subpoena witnesses and documentary evidence.

The request for a hearing must be made in writing within twenty days of the date of this Order. Please be advised that if you do not request a hearing in writing within twenty days of the date of this Order, this Order shall become a final order. As a result, a licensed mortgage broker or mortgage lender will be prohibited for a period of three years from employing you to perform any functions governed by the Georgia Residential Mortgage Act. O.C.G.A. § 7-1-1004. This restriction in no way prohibits you from engaging in business with a mortgage broker or mortgage lender that is not licensed or required to be licensed by this Department. O.C.G.A. § 7-1-1004. Should you have any questions concerning this matter, please contact Helen O’Leary, Non-Depository Financial Institutions Division Attorney, at (770) 986-1648.

A handwritten signature in black ink, appearing to read "Rod Carnes", is written over a horizontal line.

Rod Carnes, CFE
Deputy Commissioner
Non-Depository Financial Institutions Division