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## Department of Banking and Finance

2990 Brandywine Road, Suite 200

Atlanta, Georgia 30341-5565

770-986-1633

[www.gadbf.org](http://www.gadbf.org)

Sonny Perdue  
Governor

Robert M. Braswell  
Commissioner

May 15, 2008

VIA CERTIFIED MAIL – 7005 1820 0006 4359 5304

Marie Mahan  
3685 Concordia Road  
Decatur, Georgia 30034

### ORDER TO CEASE AND DESIST

Pursuant to O.C.G.A. §7-1-1018(a), the Georgia Department of Banking and Finance ("Department") orders you, Marie Mahan, to cease and desist from engaging in activities that are in violation of the Georgia Residential Mortgage Act ("GRMA"). O.C.G.A. § 7-1-1000 *et seq.* An examination recently performed by the Department revealed that you engaged in residential mortgage broker or lending activities from December 1, 2006, through February 7, 2008, while in the employ of SunnyMTG.com 866-768-CASH, LLC ("SunnyMTG.com"). During that time period, a previously issued Order to Cease and Desist was in effect against you that prohibited you from being employed by a mortgage broker or lender for three years. O.C.G.A. § 7-1-1004(i).

Georgia law prohibits a person from engaging in mortgage broker or lender activities unless that person is licensed by the Department or is acting within an applicable exemption. O.C.G.A. § 7-1-1002(a). There is an employee exemption to state licensing requirements. O.C.G.A. § 7-1-1001(11). However, while working at SunnyMTG.com from December 1, 2006, through February 7, 2008, you did not qualify for the employee exemption because Georgia law provides that it does not apply to anyone who is not in compliance with the provisions and prohibitions of O.C.G.A. § 7-1-1004.

This Order shall be final thirty days from the date of issuance. O.C.G.A. § 7-1-1018(a). However, within this thirty-day period you may provide the Department with documentation showing that you did possess a license or qualify for an exemption while working at SunnyMTG.com during the time period at issue. In the event that this Order becomes final, a licensed mortgage broker or mortgage lender will be prohibited from employing you for a period of five years to perform any functions governed by GRMA. 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. 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