

BEFORE THE GEORGIA DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA

GATEWAY MORTGAGE GROUP, LLC
Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE
Respondent

JOHN KEVIN STITT
Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE
Respondent

FILED

NOV 23 2009

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

DOCKET NO. DBF-MBL-09-019

CONSENT ORDER

On April 9, 2009, the Georgia Department of Banking and Finance ("Department") issued a Notice of Intent to Revoke Annual License to Gateway Mortgage Group, LLC, mortgage lender license number 20712, for alleged violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* ("GRMA"), including making false statements and misrepresenting material facts to lenders in violation of O.C.G.A. 7-1-1013(1), (2), and (6); failing to properly maintain a mortgage loan transaction journal in violation of Department Rule 80-11-2-.03; 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 John Kevin Stitt, President of Gateway Mortgage Group, LLC, for alleged violations of the GRMA, including making false statements and misrepresenting material facts to lenders in violation of O.C.G.A. 7-1-1013(1), (2), and (6); failing to properly maintain a mortgage loan transaction journal in violation of Department Rule 80-11-2-.03; 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 April 24, 2009, hearings were requested to appeal the Notice of Intent to Revoke Annual License issued to Gateway Mortgage Group, LLC and the proposed Order to Cease and Desist issued to John Kevin Stitt.

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 a resolution of those matters in their entirety. By entering into this Consent Order, Gateway Mortgage Group, LLC and John Kevin Stitt neither admit nor deny the allegations set forth in the Notice of Intent to Revoke Annual License and the proposed Order to Cease and Desist.

Accordingly, it is hereby ORDERED as follows:

1. The voluntary surrender of the mortgage lender's license of Gateway Mortgage Group, LLC shall be effective on August 26, 2009, which is the effective date on which the surrender of Gateway Mortgage Group, LLC's license was acknowledged by the Department. As of that date, Gateway Mortgage Group, LLC is prohibited from engaging in any further activity governed by GRMA. The voluntary surrender of Gateway Mortgage Group, LLC's mortgage lender's license shall be published by the Department. Gateway Mortgage Group, LLC will never apply for another mortgage

lender's license with the Department, and Gateway Mortgage Group, LLC will never submit an application for a mortgage broker's license to the Department.

2. No company with a direct or indirect affiliation with Gateway Mortgage Group LLC, excluding passive investments, shall apply to the Department for a mortgage broker or mortgage lender's license for five (5) years from the date of entry of this Consent Order.

3. John Kevin Stitt is prohibited from directing the affairs of a Georgia mortgage broker or Georgia mortgage lender or from acting as a director, officer, partner, employee, equitable owner, or any other equivalent role for a Georgia mortgage broker or Georgia mortgage lender for a five (5) year period from the date of entry of this Consent Order. Further, Mr. Stitt is prohibited from acting as a branch manager of a Georgia mortgage broker or Georgia mortgage lender during this five (5) year period from the date of entry of this Consent Order.

4. John Kevin Stitt is prohibited from applying for a Georgia mortgage broker's or Georgia mortgage lender's license, either in his individual capacity or as the owner or officer of a corporation, partnership, or limited liability company during the five (5) year period from the date of entry of this Consent Order.

5. Gateway Mortgage Group, LLC shall contribute \$2,000.00 to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the Nationwide Mortgage Licensing System, jointly sponsored by CSBS and the American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds, be made payable to the State Regulatory Registry, LLC, and shall be remitted contemporaneously to the Department of Banking and Finance with the entry of this Consent Order.

6. Gateway Mortgage Group, LLC withdraws its request for a hearing made in response to the Notice of Intent to Revoke Annual License issued by the Department on April 9, 2009.

7. The Department shall withdraw the Notice of Intent to Revoke Annual License issued to Gateway Mortgage Group, LLC upon the entry of this Consent Order.

8. John Kevin Stitt withdraws his request for a hearing regarding the proposed Order to Cease and Desist issued by the Department on April 9, 2009.

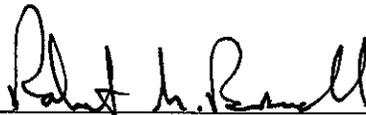
9. The Department shall withdraw the proposed Order to Cease and Desist issued to John Kevin Stitt upon the entry of this Consent Order.

10. The entry of this Consent Order will resolve and finally conclude the administrative actions pending against Gateway Mortgage Group, LLC and John Kevin Stitt that were or could have been identified or alleged by the Department in its Notice of Intent to Revoke Annual License and the proposed Order to Cease and Desist.

11. The terms of this Order may be enforced by the Department in accordance with and pursuant to state 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 23rd day of November 2009.



ROBERT M. BRASWELL

Commissioner

Georgia Department of Banking and Finance

Consented to by:



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

(Signatures Continued on the Next Page.)



John Kevin Stitt, President
Gateway Mortgage Group, LLC
6910 E. 14th Street
Tulsa, Oklahoma 74112
Individually and in his capacity as President
of Gateway Mortgage Group, LLC