

BEFORE THE DEPARTMENT OF BANKING AND FINANCE  
STATE OF GEORGIA

iSERVE RESIDENTIAL LENDING, LLC F/K/A  
UNITED RESIDENTIAL LENDING, LLC,

Petitioner

vs.

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

Respondent

**FILED**

**MAR 25 2010**

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

ANDREW KURTZ,

Petitioner

vs.

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

Respondent

DOCKET NO. DBF-MBL-10-007

LOUIS A. AMAYA,

Petitioner

vs.

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

Respondent

GARY WILLIS,

Petitioner

vs.

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

Respondent

DOUG WILSON,

Petitioner

vs.

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

Respondent

## CONSENT ORDER

On December 17, 2009, the Georgia Department of Banking and Finance ("Department") issued a Notice of Intent to Revoke Annual License to iServe Residential Lending, LLC f/k/a United Residential Lending, LLC ("iServe"), mortgage lender license number 19613, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* ("GRMA"), including 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 Andrew Kurtz, Chief Executive Officer and Manager of iServe, for 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).

Also on December 17, 2009, the Department issued a proposed Order to Cease and Desist to Louis A. Amaya, President and Manager of iServe, for 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 Gary Willis, Chief Operating Officer of iServe, for 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).

Also on December 17, 2009, the Department issued a proposed Order to Cease and Desist to Doug Wilson, Chief Financial Officer of iServe, for 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).

In correspondence dated January 5, 2010, iServe, Andrew Kurtz, Louis A. Amaya, Gary Willis, and Doug Wilson timely requested hearings to contest the allegations set forth in the Notice of Intent to Revoke Annual License and proposed Orders 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 Orders to Cease and Desist and have agreed to a resolution of these matters in their entirety.

Accordingly, it is hereby ORDERED as follows:

1. For loans subject to GRMA, iServe shall not directly or indirectly transact business as a Georgia mortgage lender with any unlicensed "person" as that term is defined by the GRMA, unless the person is exempt from the licensing or registration requirements under O.C.G.A. § 7-1-1001. Further, irrespective of any business relationship that it may have, iServe shall not directly or indirectly transact any residential mortgage business that requires a Georgia mortgage lender or broker's license with National Asset Direct Acquisition, LLC or NAD Acquisition 3, LLC unless and until such time as these companies may be licensed by the Department.

2. iServe withdraws its request for a hearing regarding the Notice of Intent to Revoke

Annual License issued by the Department on December 17, 2009.

3. The Department shall withdraw the Notice of Intent to Revoke issued to iServe after entry of this Consent Order.

4. Andrew Kurtz withdraws his request for a hearing regarding the proposed Order to Cease and Desist issued by the Department on December 17, 2009.

5. The Department shall rescind the proposed Order to Cease and Desist issued to Andrew Kurtz after the entry of this Consent Order.

6. Louis A. Amaya withdraws his request for a hearing regarding the proposed Order to Cease and Desist issued by the Department on December 17, 2009.

7. The Department shall rescind the proposed Order to Cease and Desist issued to Louis A. Amaya after the entry of this Consent Order.

8. Gary Willis withdraws his request for a hearing regarding the proposed Order to Cease and Desist issued by the Department on December 17, 2009.

9. The Department shall rescind the proposed Order to Cease and Desist issued to Gary Willis after the entry of this Consent Order.

10. Doug Wilson withdraws his request for a hearing regarding the proposed Order to Cease and Desist issued by the Department on December 17, 2009.

11. The Department shall rescind the proposed Order to Cease and Desist issued to Doug Wilson after the entry of this Consent Order.

12. iServe shall pay a fine in the amount of \$4,000.00 to the Department in full and final satisfaction of any and all monetary claims that have or could have been brought by the Department in connection with the alleged violations on which the Notice of Intent to Revoke Annual License dated December 17, 2009, are based. These monies shall be paid in certified funds, be made payable to the

Department, and shall be remitted to the Department contemporaneously with the execution of this Consent Order.

13. iServe shall contribute \$2,000 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 to the Department contemporaneously with the entry of this Consent Order.

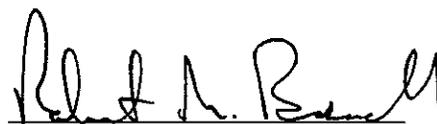
14. iServe will strictly comply with the terms of this Consent Order, the Georgia Fair Lending Act, O.C.G.A. § 7-6A-1 *et seq.*, and GRMA, as well as the Department's Rules enacted pursuant thereto. Failure to do so may result in additional administrative action being brought against iServe and any of its principals, employees or agents.

15. The entry of this Consent Order will resolve and finally conclude the allegations set forth in the Notice of Intent to Revoke Annual License issued to iServe, as well as the individual proposed Orders to Cease and Desist issued to Andrew Kurtz, Louis A. Amaya, Gary Willis and Doug Wilson.

16. The terms of this Consent Order may be enforced by the Department pursuant to O.C.G.A. §§ 7-1-1017(g) and 7-1-1018(b).

17. 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 ~~25<sup>th</sup>~~<sup>March</sup> day of February 2010.



ROBERT M. BRASWELL  
Commissioner  
Georgia Department of Banking and Finance

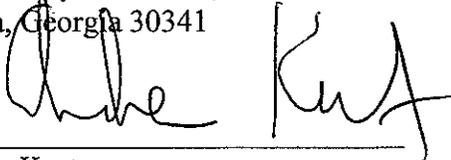
(Signatures Continued on the Next Page.)

Consented to by:



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Rod Carnes  
Deputy Commissioner  
Non-Depository Financial Institutions  
GA Department of Banking and Finance  
2990 Brandywine Road, Suite 200  
Atlanta, Georgia 30341



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Andrew Kurtz  
iServe Residential Lending, LLC f/k/a  
United Residential Lending, LLC  
8925 E. Pima Center Parkway, Suite 100  
Scottsdale, Arizona 85258  
In His Individual Capacity and as Chief  
Executive Officer of iServe Residential  
Lending, LLC f/k/a United Residential  
Lending, LLC

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Louis A. Amaya  
iServe Residential Lending, LLC f/k/a  
United Residential Lending, LLC  
8925 E. Pima Center Parkway, Suite 100  
Scottsdale, Arizona 85258  
In His Individual Capacity and as President  
of iServe Residential Lending, LLC f/k/a  
United Residential Lending, LLC

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Gary Willis  
iServe Residential Lending, LLC f/k/a  
United Residential Lending, LLC  
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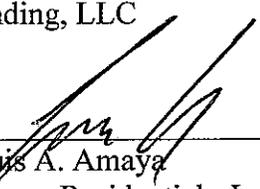
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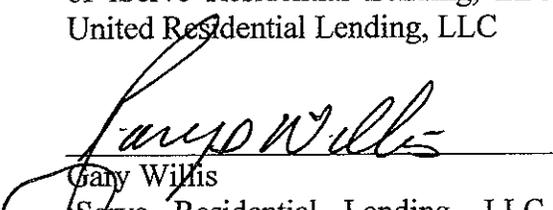
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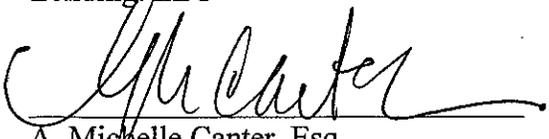
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Doug Wilson

iServe Residential Lending, LLC f/k/a  
United Residential Lending, LLC  
8925 E. Pima Center Parkway, Suite 100  
Scottsdale, Arizona 85258

In His Individual Capacity and as Chief  
Financial Officer of iServe Residential  
Lending, LLC f/k/a United Residential  
Lending, LLC



A. Michelle Canter, Esq.

Franzon & Salzano, P.C.

40 Technology Parkway South, Suite 202  
Norcross, Georgia 30092

Attorney for iServe Residential Lending,  
LLC f/k/a United Residential Lending,  
LLC, Andrew Kurtz, Louis A. Amaya,  
Gary Willis and Doug Wilson