

**BEFORE THE DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA**

EMORTGAGE GROUP, LLC

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

ERICA R. HILL

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

DOCKET NO. DBF-MBL-10-00

13

FILED

JUN 22 2010

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

CONSENT ORDER

On December 22, 2009, the Georgia Department of Banking and Finance ("Department") issued a Notice of Intent to Revoke Annual License to eMortgage Group, LLC, mortgage broker license number 22491, Nationwide Mortgage Licensing System ("NMLS") number, 157436, for making false statements or material misrepresentations to the Department in violation of O.C.G.A. § 7-1-1013(11); 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, directly or indirectly controlling a person who violated O.C.G.A. § 7-1-1002(a) and (b) in violation of O.C.G.A. § 7-1-1002(c).

On this same day, the Department issued a proposed Order to Cease and Desist to Erica R. Hill, Owner of eMortgage Group, LLC, for making false statements or material misrepresentations to the Department in violation of O.C.G.A. § 7-1-1013(11); 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, directly or

indirectly controlling a person who violated O.C.G.A. § 7-1-1002(a) and (b) in violation of O.C.G.A. § 7-1-1002(c).

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 the following resolution:

Accordingly, it is hereby ORDERED as follows:

1. Upon entry of this Consent Order, the revocation of the mortgage broker's license of eMortgage Group, LLC will be final and will be published by this Department. eMortgage Group, LLC will never apply to the Department for another mortgage broker license and never submit an application for a mortgage lender's license in Georgia.

2. Ms. Hill is prohibited from directing the affairs of a Georgia mortgage broker or Georgia mortgage lender or from acting as a director, officer, partner, equitable owner, or any other equivalent role for a mortgage broker or mortgage lender during the five-year period following the date of entry of this Consent Order. Further, Ms. Hill is prohibited from acting as a branch manager for a Georgia mortgage broker or Georgia mortgage lender during this five-year period.

3. Ms. Hill is prohibited from applying for a mortgage broker's or mortgage lender's license in Georgia, either in her individual capacity or as the owner or officer of a corporation, partnership or limited liability company, for five years from the date of entry of this Consent Order.

4. Ms. Hill shall only be affiliated with a Georgia mortgage broker licensee or a Georgia mortgage lender licensee as a W-2 employee for five years from the date of entry of this Consent Order. Ms. Hill, as a W-2 employee of a Georgia mortgage broker licensee or a Georgia mortgage lender licensee, shall not work out of any commercial office location other than her employing licensee's main office or a Department approved branch of that licensee. Further, Ms. Hill shall not communicate on letterhead, business cards, announcements, e-mails, advertisements, solicitations for business, flyers, brochures, or the like a location address where she conducts residential mortgage business unless that location has been approved by the Department for her employing licensee.

5. By entering into this Consent Order, Erica Hill shall not be deemed disqualified from applying for and obtaining a mortgage loan originator's license from the Department assuming that she satisfies all of the requirements regarding same as set forth in the Georgia Residential Mortgage Act, Department policy, and agency rules.

6. Ms. Hill shall not herself directly or indirectly transact business in the State of Georgia with any unlicensed "person," as defined by the Georgia Residential Mortgage Act, unless the person is exempt from the licensing or registration requirements under O.C.G.A. § 7-1-1001.

7. Ms. Hill shall complete a minimum 4-hour Department approved education course in mortgage fraud prevention and ethics within 60 days of the entry of this Consent Order. Ms. Hill shall cause to be submitted to the Department a copy of a certificate issued by the education provider documenting her successful completion of this requirement, which subsequently may be verified by the Department. None of the 4 hours of education obtained by Ms. Hill pursuant to this Consent Order shall qualify to be applied towards the Department's 2010 or 2011 mortgage loan originator education requirement.

8. Ms. Hill 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 the Georgia Residential Mortgage Act, as well as the Department's Rules enacted pursuant thereto. Failure to do so may result in additional administrative action being brought against Ms. Hill.

9. eMortgage Group, LLC shall contribute \$500.00 to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the NMLS, jointly sponsored by CSBS and the American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds to be made payable to the State Regulatory Registry, LLC; and, shall be remitted contemporaneously with the entry of this Consent Order.

10. The entry of this Consent Order will resolve the Notice of Intent to Revoke issued to eMortgage Group, LLC.

11. The Department shall rescind the proposed Order to Cease and Desist issued to Ms. Hill.

12. All written notifications required by this Consent Order shall be mailed to:

Georgia Department of Banking and Finance
Attention: Director of Mortgage Supervision
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

13. The terms of this Order may be enforced by the Department in accordance with the remedies afforded by law, including but not limited to O.C.G.A. §§ 7-1-1017(g) and 7-1-1018(b).

14. 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 22nd day of June 2010.



ROBERT M. BRASWELL
Commissioner
Georgia Department of Banking and Finance

Consented to by:



Ms. Erica Hill, Owner
eMortgage Group, LLC
125 Townpark Drive, Suite 300
Kennesaw, Georgia 30144



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

In her individual capacity and as owner of
eMortgage Group, LLC

APPROVED AS TO FORM:



Therese G. Franzén, Esq.
Franzén and Salzano, PC
Attorneys for Petitioners

(by MDT w/
express permission)