



## Department of Banking and Finance

2990 Brandywine Road, Suite 200

Atlanta, Georgia 30341-5565

770-986-1633

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

*Nathan Deal*  
Governor

*Robert M. Braswell*  
Commissioner

February 4, 2011

**FILED**

Pharis Daniel Bennett  
P.O. Box 326  
Reidsville, Georgia 30453

**FEB 04 2011**

GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

GDBF No. 26701; NMLS No.183351

### FINAL ORDER OF DENIAL OF APPLICATION FOR MORTGAGE LOAN ORIGINATOR'S LICENSE

The Georgia Department of Banking and Finance ("Department") issued to Pharis Daniel Bennett ("Applicant") a written Notice of Intent to Deny Application for a Mortgage Loan Originator's License ("Notice") dated January 14, 2011. This Notice provided that the Department intended to deny Applicant's mortgage loan originator license application on the grounds that the Applicant had been convicted of a felony and did not qualify for licensure as contemplated by O.C.G.A. § 7-1-1004(h).

The Notice informed the Applicant that the Department would issue a Final Order of Denial of Application for Mortgage Loan Originator's License if a hearing was not requested in writing within twenty days of the Notice. The records of the Department reflect that a hearing was not requested within this timeframe. Therefore, the Department hereby denies the application of the Applicant for a mortgage loan originator's license. Questions regarding this Final Order of Denial of Application for Mortgage Loan Originator's License should be directed to Helen O'Leary, Non-Depository Financial Institutions Division Senior Attorney, at (770) 986-1649.

Rod Carnes, CFE

Deputy Commissioner

Non-Depository Financial Institutions Division



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### NOTICE OF INTENT TO DENY APPLICATION FOR MORTGAGE LOAN ORIGINATOR'S LICENSE

The Georgia Department of Banking and Finance ("Department") hereby notifies you of its intent to deny your application for a mortgage loan originator's license. Pursuant to O.C.G.A. § 7-1-1004, the Department has concluded its investigation of your application. In doing so, it has been determined that you have been convicted of a felony. The laws of the state of Georgia do not permit the Department to license a person as a mortgage loan originator who has been convicted of a felony unless a court has set aside the conviction, a pardon has been issued, or an official certification that constitutes a restoration of one's civil rights has been issued by the state's pardoning board. O.C.G.A. § 7-1-1004(h). You have not provided any documentation to the Department showing that the felony you were convicted of has been remedied in any of these manners.

You may request a hearing to contest the decision of the Department to deny your mortgage loan originator license application. O.C.G.A. § 7-1-1017(b). The hearing will be held at the main office of the Department before its Commissioner. You must appear in person at the hearing. You may retain counsel of your choice and subpoena witnesses and documentary evidence.

A request for a hearing must be made in writing within twenty days of the date of this Notice of Intent to Deny Application for Mortgage Loan Originator's License. If you do not request a hearing within twenty days of the date of this Notice, the Department will enter a Final Order of Denial of Application for Mortgage Loan Originator's License that will be effective the date of issuance. At any time prior to the expiration of the twenty days, you may withdraw your application for a mortgage loan originator's license through the Nationwide Mortgage Licensing System and by notifying the Department in writing.

Should you have any questions concerning this matter, please send them by e-mail to [mlohearings@dbf.state.ga.us](mailto:mlohearings@dbf.state.ga.us).

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



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GEORGIA DEPARTMENT OF  
BANKING AND FINANCE

### 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, Pharis Daniel Bennett, 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.* Specifically, information obtained by the Department has revealed that you are a convicted felon. Please be advised that because you are a felon it is unlawful for you to be employed in the Georgia residential mortgage brokering or lending industry. O.C.G.A. § 7-1-1004(h).

Pursuant to the provisions of O.C.G.A. § 7-1-1018, you may request a hearing to contest the decision of the Department to issue this Order to Cease and Desist. The hearing will be held at the main office of the Department before its Commissioner. You may retain counsel of your choice and 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. Should you have any questions concerning this matter, please contact Helen O'Leary, Non-Depository Financial Institutions Division Senior Attorney, at (770) 986-1649.

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