

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

AMERICAHOMEKEY, INC.	Petitioner
vs.	
GEORGIA DEPARTMENT OF BANKING AND FINANCE	Respondent
LANE TERRELL	Petitioner
vs.	
GEORGIA DEPARTMENT OF BANKING AND FINANCE	Respondent
FRANK CAUGHRON	Petitioner
vs.	
GEORGIA DEPARTMENT OF BANKING AND FINANCE	Respondent
LYNN EATON	Petitioner
vs.	
GEORGIA DEPARTMENT OF BANKING AND FINANCE	Respondent
BUDDY LEE TERRELL	Petitioner
vs.	
GEORGIA DEPARTMENT OF BANKING AND FINANCE	Respondent

FILED

DEC 27 2011

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

DOCKET NO. DBF-MBL-11-15

CONSENT ORDER

On June 28, 2011, the Georgia Department of Banking and Finance (“Department”) issued a Notice of Intent to Revoke Annual License to AmericaHomeKey, Inc. (“AmericaHomeKey”), mortgage lender license number 23191, Nationwide Mortgage Licensing System (“NMLS”) number 2156, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* (“GRMA”), including transacting business with a person who is unlicensed and unregistered, not exempt from licensing and registration requirements in violation of O.C.G.A. § 7-1-1002(a) and (b) 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 proposed Orders to Cease and Desist to Lane Terrell, Lynn Eaton, Frank Caughron, and Buddy Lee Terrell (hereinafter referred to as the "Owners") for transacting business with a person who is unlicensed and unregistered, not exempt from licensing and registration requirements in violation of O.C.G.A. § 7-1-1002(a) and (b); 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 Department received timely requests for hearings from AmericaHomeKey and the Owners.

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 those matters in their entirety.

This Consent Order does not constitute an admission of liability or fault on the part of AmericaHomeKey or its Owners.

Accordingly, it is hereby ORDERED as follows:

1. AmericaHomeKey's mortgage lender license shall expire on December 31, 2011. For a five (5) year period from the date of entry of this Consent Order, AmericaHomeKey or its Owners will not apply for another mortgage lender's license with the Department, and AmericaHomeKey or its Owners will not submit an application for a mortgage broker's license to the Department.

2. AmericaHomeKey will be prohibited from engaging in any further activity governed by GRMA after December 31, 2011, except as provided in Paragraph 3.

3. AmericaHomeKey shall not be prohibited from continuing to service Georgia residential mortgage loans pursuant to servicing contracts in existence as of December 31, 2011, for a period of six months after that date. AmericaHomeKey shall conclude all mortgage activity governed by GRMA on or before June 30, 2012. At all times, up and until the conclusion of its Georgia residential mortgage activity, AmericaHomeKey shall maintain a corporate surety bond in accordance with O.C.G.A. § 7-1-1003.2

4. AmericaHomeKey shall not undertake any additional Georgia residential mortgage loan servicing contracts from the date of entry of this Consent Order.

5. AmericaHomeKey shall notify the Department in writing of all Georgia residential mortgage loan servicing contracts in existence as of December 31, 2011, on or before January 9, 2012. AmericaHomeKey shall provide in its notification, at a minimum, the following information for each servicing contract: 1) the borrower's last name; 2) the property address; and, 3) loan balance.

6. AmericaHomeKey shall have an ongoing obligation to notify the Department of the status of the sale and/or transfer of the company's Georgia residential mortgage loan servicing contracts as referenced in Paragraph 4. On or before April 9, 2012, AmericaHomeKey shall inform the department of the number of Georgia residential mortgage loan servicing contracts it still services as of March 31, 2012. A final accounting of the remaining Georgia residential servicing contract shall be made on or before June 30, 2012.

7. AmericaHomeKey shall continue to submit to the NMLS reports of Georgia residential mortgage loan activity and financial condition in accordance with NMLS requirements and deadlines until such time as it concludes all mortgage activity governed by GRMA.

- a. AmericaHomeKey shall submit fourth quarter 2011 residential mortgage loan activity for the period of October 1 through December 31, 2011, on or before February 14, 2012.
- b. AmericaHomeKey shall submit a Financial Condition report within 90 days of the company's Fiscal Year End.
- c. In the event AmericaHomeKey is unable to submit the reports required by this Paragraph electronically via the NMLS website, AmericaHomeKey may submit the reports directly to the Department by the applicable deadlines.

8. For a period of five (5) years from the entry of this Consent Order, each of the Owners, if employed or acting as a director, officer, partner, equitable owner or any other equivalent role for a Georgia mortgage broker or Georgia mortgage lender licensee, must notify the Department in writing of the name and address of his or her employer or affiliated company within seven (7) days of starting employment or becoming otherwise affiliated with a Georgia mortgage broker or Georgia mortgage

lender licensee. This notification requirement is in addition to any amendments or changes required to be made to the NMLS record of the Georgia mortgage broker or Georgia mortgage lender licensee or an individual NMLS record of any one of the Owners.

9. AmericaHomeKey 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 AmericaHomeKey, the Owners and/or any of its employees or agents.

10. All written notifications, submissions and communications required by this Consent Order shall be mailed to:

Georgia Department of Banking and Finance
Attention: Director of Non-Depository Financial Institutions Division
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

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

12. The Department shall rescind the proposed Notice of Intent to Revoke issued to AmericaHomeKey after entry of this Consent Order.

13. AmericaHomeKey shall pay fines to the Department in the amount of \$29,500.00 in full and final satisfaction of any and all monetary claims that have or could have been brought by this agency in connection with the violations for which the proposed Notice of Intent to Revoke Annual License dated June 28, 2011, was issued. The monies shall be paid in certified funds and shall be remitted contemporaneously with the entry of this Order.

14. AmericaHomeKey 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 NMLS, 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 with the entry of this Consent Order.

15. Nothing in this Consent Order shall preclude any person, including the Department, who may be damaged by noncompliance with any condition of AmericaHomeKey's O.C.G.A. § 7-1-1003.2 surety bond, GRMA or the terms of this Consent Order from the right to proceed on such bond against the principal or surety thereon, or both, to recover damages.

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

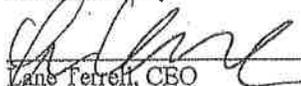
17. The Consent Order shall be regarded as a public document that the Department may publish in the same manner as a final order of this agency.

SO ORDERED AND ENTERED, this 27th day of December 2011.

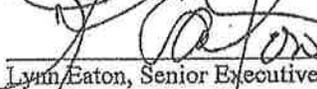


ROBERT M. BRASWELL
Commissioner
Georgia Department of Banking and Finance

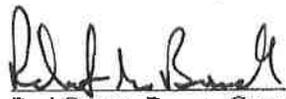
Consented to by:

 Date 12/8/11
Lane Petrell, CEO
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219

*In his individual capacity and as owner of
AmericaHomeKey, Inc.*

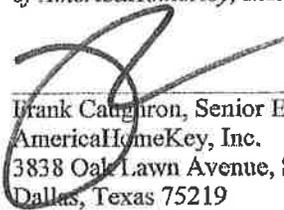
 Date 12-9-11
Lynn Eaton, Senior Executive Vice President
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219

*In her individual capacity and as owner of
AmericaHomeKey, Inc.*

 Date 12/27/11
Rod Carnes, Deputy Commissioner
Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

[ADDITIONAL SIGNATURES TO FOLLOW ON NEXT PAGE]

 Date 12/16/2011
Buddy Lee Ferrell, Director
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219
*In his individual capacity and as owner
of AmericaHomeKey, Inc.*

 Date 12/21/11
Frank Canguiron, Senior Executive Vice President
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219
*In his individual capacity and as owner
of AmericaHomeKey, Inc.*

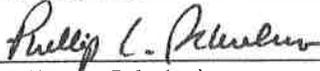
APPROVED AS TO FORM:

Date _____
Phillip L. Schulman
K&L Gates LLP
1601 K Street, N.W.
Washington, DC 20006
Attorneys for Petitioners

Date _____
Buddy Lee Terrell, Director
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219
*In his individual capacity and as owner
of AmericaHomeKey, Inc.*

Date _____
Frank Caughron, Senior Executive Vice President
AmericaHomeKey, Inc.
3838 Oak Lawn Avenue, Suite 1050
Dallas, Texas 75219
*In his individual capacity and as owner
of AmericaHomeKey, Inc.*

APPROVED AS TO FORM:

 _____ Date 12-8-11
Phillip L. Schulman
K&L Gates LLP
1601 K Street, N.W.
Washington, DC 20006
Attorneys for Petitioners