

BEFORE THE GEORGIA DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA

LUCY E. SEAL,

GDBF NO. 25706 NMLSR NO. 214418

Petitioner,

v.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE,

Respondent.

*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*

FILED

JAN 31 2012

**GEORGIA DEPARTMENT OF
BANKING AND FINANCE**

DOCKET NO. DBF-MBL-12-006

CONSENT ORDER

On July 27, 2011, the Georgia Department of Banking and Finance (“Department”) issued a Notice of Intent to Revoke Mortgage Loan Originator’s License to Lucy E. Seal, Department License Number 25706 and Nationwide Mortgage Licensing System and Registry License Number 214418, in which it was alleged that she misrepresented material facts likely to induce a mortgagee to take a mortgage loan in violation of O.C.G.A. § 7-1-1013(1); misrepresented or concealed information concerning mortgage transactions in violation of O.C.G.A. § 7-1-1013(2); and engaged in a course of business not in good faith in violation of O.C.G.A. § 7-1-1013(6). The Department further alleged that Ms. Seal directly or indirectly transacted residential mortgage business in violation of O.C.G.A. §§ 7-1-1001.1 and 7-1-1002 with persons who were not licensed by the Department through the Nationwide Mortgage Licensing System and Registry and were not exempt from licensing requirements, and in violation of O.C.G.A. § 7-1-1002(c) directly or indirectly controlled persons who violated O.C.G.A. § 7-1-1002(a) and (b).

On this same day, a proposed Order to Cease and Desist was issued to Lucy E. Seal by the Department in which it was alleged that she misrepresented material facts likely to induce a mortgagee to take a mortgage loan in violation of O.C.G.A. § 7-1-1013(1); misrepresented or concealed information concerning mortgage transactions in violation of O.C.G.A. § 7-1-1013(2); and engaged in a course of business not in good faith in violation of O.C.G.A. § 7-1-1013(6). The Department further alleged that Ms. Seal directly or indirectly transacted residential mortgage business in violation of O.C.G.A. §§ 7-1-1001.1 and 7-1-1002 with persons who were not licensed by the Department through the Nationwide Mortgage Licensing System and Registry and were not exempt from licensing requirements, and in violation of O.C.G.A. § 7-1-1002(c) directly or indirectly controlled persons who violated O.C.G.A. § 7-1-1002(a) and (b).

On July 29, 2011, hearings were timely requested by Ms. Seal to appeal the Notice of Intent to Revoke Mortgage Loan Originator's License and the proposed Order to Cease and Desist that were issued to her.

The parties have discussed settlement of the issues raised by the Notice of Intent to Revoke Mortgage Loan Originator's License and proposed Order to Cease and Desist issued to Lucy E. Seal and have agreed to a resolution of those matters in their entirety. By entering into this Consent Order, Lucy E. Seal neither admits nor denies the allegations set forth in the Notice of Intent to Revoke Mortgage Loan Originator's License and proposed Order to Cease and Desist. Except as provided in Paragraph 12 of this Consent Order, the Department and Lucy E. Seal agree that this Consent Order shall not be used as evidence of wrongdoing by her.

It is hereby ORDERED as follows:

1. Lucy E. Seal shall not directly or indirectly transact business with any unlicensed "person" as defined by the Georgia Residential Mortgage Act ("GRMA"), O.C.G.A. 7-1-1000 *et seq.*, unless that person is exempt from licensing or registration requirements pursuant to

O.C.G.A. § 7-1-1001. This prohibition expressly precludes Lucy E. Seal from directly or indirectly working with any employee of a licensed Georgia mortgage broker or Georgia mortgage lender who takes residential mortgage loan applications or offers or negotiates the terms of a residential mortgage unless that individual holds a current, active Georgia mortgage loan originator's license or is exempt from licensing or registration requirements pursuant to O.C.G.A. § 7-1-1001.

2. Lucy E. Seal shall not authorize any person to sign her name to Georgia residential mortgage loan documents to be provided to borrowers or any lenders. In the event that Lucy E. Seal becomes aware that any person has signed her name on any Georgia residential mortgage loan documents, she shall inform the Department in writing of the facts and circumstances surrounding each occurrence within five business days of its discovery.

3. Lucy E. Seal shall properly maintain a journal of all Georgia residential mortgage loan transactions for which she is the mortgage loan originator as required by Department Rule 80-11-5-.02. This journal shall contain entries for each and every potential borrower for whom Ms. Seal takes an application for a Georgia residential mortgage loan, including all individuals for whom credit checks are run.

4. For a five-year period from the date on which this Consent Order is signed by the Department's Commissioner (its "entry date"), Lucy E. Seal is prohibited from making an application for a Georgia mortgage broker or Georgia mortgage lender's license, either in her individual capacity or as the owner or officer of a corporation, partnership or limited liability company. During said five-year period, Lucy E. Seal also shall be prohibited from directing the affairs of a Georgia mortgage broker or Georgia mortgage lender including, but not limited to, as a branch manager, or from acting as a director, officer, partner, equitable owner, or any other equivalent role.

5. Lucy E. Seal shall cooperate with the Department in any investigation or administrative or civil action initiated by the Department against any current or former employees of Academy Mortgage Corporation. The cooperation of Lucy E. Seal shall include, but not be limited to, providing the Department with requested documents, being interviewed by employees of the Department, and providing sworn written and verbal testimony pertaining to Academy Mortgage Corporation, its owners, or any of its current or former employees. This paragraph has been included in this Consent Order at the Department's request; Lucy E. Seal has made no representation that she can provide any specific information to the Department, nor has Lucy E. Seal offered to provide any specific information as an inducement to obtain this Consent Order.

6. Lucy E. Seal 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 allegations that she directly or indirectly transacted residential mortgage business with persons who were not licensed by the Department through the Nationwide Mortgage Licensing System and Registry and were not exempt from licensing requirements as set forth in the Notice of Intent to Revoke Annual License and Order to Cease and Desist dated July 27, 2011. This fine shall be paid in certified funds and shall be remitted contemporaneously with the entry of this Consent Order.

7. Lucy E. Seal shall contribute \$1,000.00 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 and Registry, 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 execution of this Consent Order.

8. Lucy E. Seal withdraws the requests for hearings that were filed after receiving the Notice of Intent to Revoke Mortgage Loan Originator's License and the proposed Order to Cease and Desist, both issued by the Department on July 27, 2011.

9. Contemporaneous with the entry date of this Consent Order, the Department shall withdraw the Notice of Intent to Revoke Mortgage Loan Originator's License and the proposed Order to Cease and Desist issued to Lucy E. Seal.

10. The entry of this Consent Order shall resolve and finally conclude the allegations set forth in the Notice of Intent to Revoke Mortgage Loan Originator's License and the proposed Order to Cease and Desist issued to Lucy E. Seal.

11. Within five business days of the date of entry of this Consent Order, Lucy E. Seal shall update her responses to the Regulatory Action Disclosure Questions, Section 8.(I), on her MU-4 filing on the Nationwide Mortgage Licensing System and Registry to reflect the existence of this final administrative action against her and the restrictions set forth therein.

12. Lucy E. Seal shall strictly comply with the terms of this Consent Order, GRMA, and the Georgia Fair Lending Act, O.C.G.A. § 7-6A-1 *et seq.*, as well as any and all rules enacted by the Department pursuant thereto.

(a) In the event any terms of this Consent Order are violated, the Department may initiate further administrative proceedings against Lucy E. Seal for such violations. If the Department initiates any administrative proceedings, then violation of this Consent Order, if established by the Department, shall be available for consideration as grounds to support the Department's administrative action(s).

(b) 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).

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

SO ORDERED, this 31st day of January, 2012.



ROBERT M. BRASWELL
Commissioner
Georgia Department of Banking and Finance

Consented to by:



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



Lucy E. Seal
Academy Mortgage Corporation
5565 Glenridge Connector NE, Suite 400
Atlanta, Georgia 30342



Melvin M. Goldstein, Esq.
Attorney for Lucy E. Seal
248 Roswell Street
Marietta, Georgia 30060