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Department of Banking and Finance

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Sonny Perdue
Governor

Robert M. Braswell
Commissioner

May 15, 2008

VIA CERTIFIED MAIL – 7005 1820 0006 4359 5335

Fariba V. Azari, President
North American Home Funding, Inc.
2660 Townsgate Road, #800
Westlake Village, California 91361

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, Fariba V. Azari, 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, the Department has evidence that in your capacity as president of North American Home Funding, Inc., you purposefully withheld, deleted, destroyed or altered information requested by an examiner and made false statements to the Department in violation of O.C.G.A. § 7-1-1013(11); failed to properly maintain a mortgage loan transaction journal in violation of Department Rule 80-11-2-.03; and transacted business in violation of O.C.G.A. § 7-1-1002(a) and (b) with persons who are unlicensed and unregistered, not exempt from licensing and registrations requirements and are not employees of a mortgage broker or lender. Further, in violation of O.C.G.A. § 7-1-1002(c), you directly or indirectly controlled persons who violated O.C.G.A. § 7-1-1002(a) and (b).

Pursuant to the provisions of O.C.G.A. § 7-1-1018, you may request a hearing to contest this Order. This hearing, at which the Department will present its evidence and be represented by the Office of the Attorney General, will be before a judge of the Office of State Administrative Hearings. You may retain counsel of your choice. You may subpoena witnesses and documentary evidence.

The request for a hearing must be made in writing within 20 days of the date of this Order. Please be advised that if you do not request a hearing in writing within 20 days of the date of this Order, this Order shall become a final order. As a result, a licensed mortgage broker or mortgage lender will be prohibited from employing you for a period of 5 years to perform any functions governed by the GRMA. O.C.G.A. § 7-1-1004. This restriction in no way prohibits you from engaging in business with a mortgage broker or mortgage lender that is not licensed or required to be licensed by this Department. Should you have any questions concerning this matter, please contact Helen O’Leary, Non-Depository Financial Institutions Division Attorney, at (770) 986-1648.

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