

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

DEWITT MORTGAGE SERVICES AND
PROPERTY MANAGEMENT, LLC

Petitioner

vs.

GEORGIA DEPARTMENT OF BANKING AND
FINANCE

Respondent

DOCKET NO. DBF-MBL-13-005

MARK DEWITT

Petitioner

vs.

GEORGIA DEPARTMENT OF BANKING AND
FINANCE

Respondent

FILED

NOV 01 2013

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

CONSENT ORDER

On March 7, 2011, the Georgia Department of Banking and Finance (“Department”) issued a Notice of Intent to Revoke Annual License to DeWitt Mortgage Services and Property Management, LLC (“DeWitt Mortgage”) mortgage broker’s license number 22052, National Mortgage Licensing System (“NMLS”) number 159325, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* (“GRMA”), by purposely making false statements or material misrepresentations to the Department in violation of O.C.G.A. § 7-1-1013(11) and for transacting business with a person who is unlicensed, unregistered, and not exempt from licensing and registration requirements in violation of O.C.G.A. § 7-1-1002(a) and (b). Further, in violation of O.C.G.A. § 7-1-1002(c), DeWitt Mortgage directly or indirectly controlled a person who violated O.C.G.A. § 7-1-1002(a) and (b).

On this same day, the Department issued a Notice of Intent to Revoke Mortgage Loan Originator’s License and proposed Order to Cease and Desist to Mark DeWitt (“DeWitt”), mortgage loan originator’s license number 27102, NMLS number 160478, for purposely making false statements or material misrepresentations to the Department in violation of O.C.G.A. § 7-1-1013(11) and for

transacting business with a person who is unlicensed, unregistered, and not exempt from licensing and registration requirements in violation of O.C.G.A. § 7-1-1002(a) and (b). Further, in violation of O.C.G.A. § 7-1-1002(c), DeWitt directly or indirectly controlled a person who violated O.C.G.A. § 7-1-1002(a) and (b).

Hearings were timely requested to appeal the Notice of Intent to Revoke Annual License of DeWitt Mortgage, and the Notice of Intent to Revoke Mortgage Loan Originator's License and proposed Order to Cease and Desist issued to DeWitt.

The parties have reached a settlement of the Notice of Intent to Revoke Annual License of DeWitt Mortgage and the Notice of Intent to Revoke Mortgage Loan Originator's License and proposed Order to Cease and Desist issued to DeWitt, and have agreed to a resolution of those administrative proceedings in their entirety.

By entering into this Consent Order, DeWitt and DeWitt Mortgage, as applicable, neither admit nor deny the allegations set forth in the Notice of Intent to Revoke Annual License, Notice of Intent to Revoke Mortgage Loan Originator's License and Proposed Order to Cease and Desist.

Accordingly, it is hereby ORDERED as follows:

1. The mortgage broker's license of Dewitt Mortgage will be revoked, effective November 1, 2013. The revocation of the mortgage broker's license of Dewitt Mortgage will be published by the Department and its agent, the NMLS.

2. Dewitt shall voluntarily withdraw his mortgage loan originator's license, effective November 1, 2013.

3. For a five-year period from the date on which Dewitt withdraws his mortgage loan originator's license, DeWitt is precluded from being employed or working as an independent contractor for a Georgia licensed mortgage lender or mortgage broker.

4. DeWitt agrees that he will not engage in any activity in the State of Georgia that violates the provisions of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000, *et seq.*

5. DeWitt Mortgage was assessed fines in the amount of eleven thousand dollars (\$11,000) and was directed to pay the fines to the Department in satisfaction of any monetary claims that have been assessed by the Department, as a result of the examination of DeWitt Mortgage. DeWitt Mortgage has

satisfactorily remitted payment to the Department related to the assessed fines.

6. DeWitt Mortgage shall contribute one thousand dollars (\$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, jointly sponsored by CSBS and the American Association of Resident 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.

7. Within five (5) business days of the date of entry of this Consent Order, responses to the Regulatory Action Disclosure Questions on the MU-1 filing on the NMLS shall be updated to reflect the existence of this final administrative action against DeWitt Mortgage and the restrictions set forth within.

8. Within five (5) business days of the date of entry of this Consent Order, DeWitt shall update his MU-4 filing on the NMLS to reflect the existence of this final administrative action entered against him and the restrictions set forth within.

9. DeWitt Mortgage waives its right to a hearing regarding the Notice of Intent to Revoke issued on March 7, 2011.

10. The Department shall rescind the Notice of Intent to Revoke Mortgage Loan Originator's License and proposed Order to Cease and Desist issued to DeWitt after the entry of this Consent Order.

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

12. This 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.

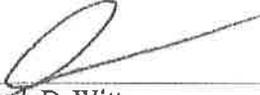
SO ORDERED, this 1st day of November 2013.

Kevin Hagler
By [Signature] w/
power of attorney

KEVIN HAGLER
Commissioner
Georgia Department of Banking and Finance

[SIGNATURES TO FOLLOW ON THE NEXT PAGE]

Consented to by:



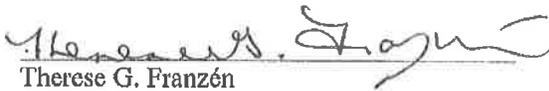
Mark DeWitt
DeWitt Mortgage Services and Property Management, LLC
7373 Hodgson Memorial Drive
Savannah, GA 31406

Individually and in his capacity as President of DeWitt
Mortgage Services and Property Management, LLC
(Georgia MLO No. 27102; NMLS No. 160478)



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

Approved as to form:



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