

1 PRESTON DUFAUCHARD  
2 CALIFORNIA CORPORATIONS COMMISSIONER  
3 ALAN S. WEINGER (CA BAR NO. 86717)  
4 SUPERVISING COUNSEL  
5 320 WEST 4<sup>th</sup> Street, Ste. 750  
6 LOS ANGELES, CALIFORNIA 90013-1105

7 Attorneys for Complainant

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BEFORE THE DEPARTMENT OF CORPORATIONS  
OF THE STATE OF CALIFORNIA

In the Matter of the Order of THE ) File No. 413 0921  
COMMISSIONER OF CORPORATIONS OF )  
THE STATE OF CALIFORNIA, )  
Complainant, )  
vs. )  
ASHFORD MORTGAGE, )  
Respondent. )

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ORDER TO DISCONTINUE RESIDENTIAL MORTGAGE LENDING  
AND/OR SERVICING ACTIVITIES PURSUANT TO  
SECTION 50319, CALIFORNIA FINANCIAL CODE

TO: ASHFORD MORTGAGE  
6455 SHILOH ROAD, SUITE D  
ALPHARETTA, GA 30005

THE COMMISSIONER OF CORPORATIONS OF THE STATE OF CALIFORNIA  
FINDS THAT:

ASHFORD MORTGAGE has failed to comply with the bonding requirements of the  
California Residential Mortgage Lending Act (California Financial Code Section 50000 et seq.) in  
that effective September 5, 2008 Bond No. 41103794 issued by PLATTE RIVER INSURANCE

1 COMPANY in favor of AME FINANCIAL CORPORATION expired and no replacement bond  
2 has been obtained.

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4 Based on the foregoing, Respondent is conducting residential mortgage lending  
5 and/or servicing business in violation of Section 50205 of the Financial Code and is conducting  
6 business in such an unsafe and injurious manner as to render further operations hazardous to the  
7 public or to customers.

8 NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING  
9 THEREFORE, it is hereby ORDERED, under the provisions of Section 50319 of the California  
10 Financial Code, ASHFORD MORTGAGE immediately discontinue the disbursement, in whole or  
11 in part, of trust funds held by the licensee and establish a separate trust account for all subsequent  
12 trust funds received by the licensee.

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15 THIS ORDER is to remain in full force and effect until further order of the Commissioner.

16 Section 50319 of the Financial Code provides as follows:

17 (a) If the commissioner, as a result of any examination or from any report  
18 made to him or her, shall find that any person subject to this division is in an  
19 insolvent condition, is conducting business in an unsafe or injurious manner that  
20 renders further operations hazardous to the public or to customers, has failed to  
21 comply with the provision of Section 50317, has permitted its tangible net worth to  
22 be lower than the minimum required by law, or has failed to comply with the  
23 bonding requirements of Section 50205, the commissioner may, by an order  
24 addressed to and served by registered or certified mail, or by personal service on that  
25 person, and on any other person having in his or her possession or control any trust  
26 funds or other property deposited in escrow with that person, direct discontinuance  
of the disbursement, in whole or in part, of trust funds held by the licensee and order  
the establishment of a separate trust account for all subsequent trust funds received  
by the licensee. No person having in his or her possession any of these funds or  
documents shall be liable for failure to comply with the order unless he or she has  
received written notice of the order. Subject to subdivision (b), the order shall  
remain in effect until set aside by the commissioner, or the person has been adjudged  
bankrupt.

27 (b) Within 15 days from the date of an order pursuant to subdivision (a), the  
28 person may request a hearing under the Administrative Procedure Act (Chapter 5  
(commencing with Section 11500) of Part 2 of Division 3 of Title 2 of the  
Government Code). Upon receiving a request, the matter shall be set for hearing to  
commence within 30 days after the receipt unless the person subject to this division  
consents to a later date. If no hearing is requested within 15 days after the mailing or

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service of the notice and none is ordered by the commissioner, the failure to request a hearing shall constitute a waiver of the right to a hearing. Neither the request for a hearing nor the hearing itself shall stay the order issued by the commissioner under subdivision (a).

DATED: November 20, 2008  
Los Angeles, California

Preston DuFauchard  
California Corporations Commissioner

By \_\_\_\_\_  
DiAun M. Burns  
Special Administrator  
California Residential Mortgage Lending Act

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COMMISSIONER OF CORPORATIONS OF )  
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Complainant, )  
vs. )  
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ORDER SETTING ASIDE ORDER TO DISCONTINUE RESIDENTIAL MORTGAGE  
LENDING AND/OR SERVICING ACTIVITIES PURSUANT TO  
SECTION 50319, CALIFORNIA FINANCIAL CODE

TO: ASHFORD MORTGAGE  
6455 SHILOH ROAD, SUITE D  
ALPHARETTA, GA 30005

NOW, THEREFORE, the Commissioner having found that ASHFORD  
MORTGAGE has complied with the bonding requirements of the California Residential  
Mortgage Lending Act (California Financial Code Section 50000 et seq.) of the Financial Code  
as of December 19, 2008 the Order to Discontinue Residential Mortgage Lending and/or  
Servicing Activities Pursuant to Section 50319, California Financial Code is hereby set aside as  
of December 19, 2008.

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Dated: Los Angeles, California  
December 30, 2008  
Effective December 19, 2008

Preston DuFauchard  
California Corporations Commissioner

By \_\_\_\_\_  
DiAun M. Burns  
Special Administrator  
California Residential Mortgage Lending Act