



STATE OF CALIFORNIA

Department of Financial Protection and Innovation

GOVERNOR **Gavin Newsom** • COMMISSIONER **Clothilde V. Hewlett**

IN REPLY REFER TO:
FILE NO: 41DB0-100446

To Lisa Gates:

Enclosed are the following:

1. Order to Discontinue Residential Mortgage Lending And/Or Servicing Activities Pursuant to Financial Code section 50319

If you wish to request a hearing on the Order to Discontinue Residential Mortgage Lending And/Or Servicing Activities, you must request a hearing in writing within 15 days of service of the Order to Discontinue Residential Mortgage Lending And/Or Servicing Activities upon you.

2. Order to Discontinue Violations under Financial Code section 50321
3. Statement of Facts in Support of Order to Discontinue Violations Pursuant to Financial Code section 50321.

If you wish to request a hearing on the Order to Discontinue Violations, you must request a hearing in writing within 30 days of service of the Order to Discontinue Violations upon you.

Also enclosed are the following:

4. Notice of Intention to Issue Order Revoking Residential Mortgage Lending And/Or Servicing License;
5. Accusation;
6. Statement to Respondent;
7. Notice of Defense; and
8. Government Code sections 11507.5, 11507.6 and 11507.7, relating to discovery and section 11522, relating to reinstatement.

If you wish to request a hearing on the Notice of Intention and Accusation you must submit a request in writing within 15 days of the date of service of the Notice of Intention and Accusation upon you.

If you decide to request a hearing on one or all of these actions, please make it clear which action you are requesting a hearing for and make sure any request is submitted within the statutory time frames required by law.

Pursuant to Government Code section 11522, a person whose license was revoked will have to wait a period of not less than one (1) year from the date of revocation before they can petition the Commissioner for reinstatement of this license.

If you have any questions, please call (213) 576-7535.

Sincerely,

Meircee Boulahroud
Financial Institutions Manager
California Residential Mortgage Lending Act

Enclosures

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorneys for the Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA
7

8 In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
9)	
10 THE COMMISSIONER OF FINANCIAL)	
PROTECTION AND INNOVATION,)	
11)	
12 Complainant,	)	ORDER TO DISCONTINUE RESIDENTIAL
	)	MORTGAGE LENDING AND/OR
13 v.	)	SERVICING ACTIVITIES PURSUANT TO
	)	FINANCIAL CODE SECTION 50319
14 GUARANTY HOME MORTGAGE)	
CORPORATION,)	
15)	
16 Respondent.)	

17
18 TO: Guaranty Home Mortgage Corporation
3200 Park Drive Suite 110, Nashville, TN 37203

19
20 The Commissioner of Financial Protection and Innovation finds that Guaranty Home
21 Mortgage Corporation (Respondent) violated provisions of the California Residential Mortgage
22 Lending Act (Fin. Code, § 50000 et seq.) (CRMLA) and hereby issues the following Order to
23 Discontinue Residential Mortgage Lending And/Or Servicing Activities Pursuant to Financial Code
24 section 50319:

- 25 1. The Commissioner is authorized to administer and enforce the provisions of the
- 26 CRMLA and rules and regulations promulgated thereunder.
- 27 2. Respondent is a licensed residential mortgage lender and servicer with a principal place
- 28 of business at 3200 Park Drive Suite 110, Nashville, Tennessee 37203.

1 3. Financial Code section 50205 requires a licensed residential mortgage lender and
2 servicer to maintain a surety bond.

3 4. On or about August 30, 2023 the Commissioner received notice that Respondent's
4 surety bond would be cancelled on September 10, 2023 if the bond was not reinstated, continued, or
5 replaced before that date.

6 5. On October 27, 2023 the Commissioner notified Respondent through the Nationwide
7 Mortgage Licensing System (NMLS), informing the company that the Commissioner would issue an
8 Order to Discontinue Residential Mortgage Lending And/Or Servicing Activities Pursuant to
9 Financial Code section 50319 if the surety bond was not reinstated, continued, or replaced by
10 November 6, 2023.

11 6. Respondent's bond expired on September 10, 2023.

12 7. Respondent has yet to replace or reinstate its surety bond in violation of Financial
13 Code section 50205.

14 8. Respondent failed to comply with the bonding requirements of Financial Code
15 section 50205 and is conducting residential mortgage lending and/or servicing business in such an
16 unsafe or injurious manner as to render further operations hazardous to the public or to customers.

17 9. Section 50319 of the Financial Code provides in pertinent part:

18 (a) If the commissioner, as a result of any examination or from any report
19 made to him or her, shall find that any person subject to this division is in an
20 insolvent condition, is conducting business in an unsafe or injurious manner
21 that renders further operations hazardous to the public or to customers, has
22 failed to comply with the provision of Section 50317, has permitted its
23 tangible net worth to be lower than the minimum required by law, or has
24 failed to comply with the bonding requirements of Section 50205, the
25 commissioner may, by an order addressed to and served by registered or
26 certified mail, or by personal service on that person, and on any other person
27 having in his or her possession or control any trust funds or other property
28 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

1 commissioner, or the person is the subject of an order for relief in
2 bankruptcy.

3 (b) Within 15 days from the date of an order pursuant to subdivision (a), the
4 person may request a hearing under the Administrative Procedure Act
5 (Chapter 5 (commencing with Section 11500) of Part 2 of Division 3 of
6 Title 2 of the Government Code). Upon receiving a request, the matter shall
7 be set for hearing to commence within 30 days after the receipt unless the
8 person subject to this division consents to a later date. If no hearing is
9 requested within 15 days after the mailing or service of the notice and none
10 is ordered by the commissioner, the failure to request a hearing shall
11 constitute a waiver of the right to a hearing. Neither the request for a hearing
12 nor the hearing itself shall stay the order issued by the commissioner under
13 subdivision (a).

14 NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING

15 THEREFORE, it is hereby ORDERED, under the provisions of Financial Code section 50319,
16 Guaranty Home Mortgage Corporation immediately discontinue the disbursement, in whole or in
17 part, of trust funds held by the licensee and establish a separate trust account for all subsequent trust
18 funds received by the licensee.

19 THIS ORDER is to remain in full force and effect until further order of the Commissioner of
20 Financial Protection and Innovation.

21 Dated: November 7, 2023
22 Sacramento, California

23 CLOTHILDE V. HEWLETT
24 Commissioner of Financial Protection and Innovation



25 By _____
26 MEIRCEE BOULAHROUD
27 Financial Institutions Manager
28 California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorneys for Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA
7

8 In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
9)	
10 THE COMMISSIONER OF FINANCIAL)	
PROTECTION AND INNOVATION,)	
11)	
12 Complainant,	)	STATEMENT OF FACTS IN SUPPORT OF
13	)	ORDER TO DISCONTINUE VIOLATIONS
14 v.	)	PURSUANT TO FINANCIAL CODE
15	)	SECTION 50321 AND NOTICE OF INTENT
16 GUARANTY HOME MORTGAGE	)	TO MAKE ORDER FINAL
CORPORATION,)	
17)	
18 Respondent.)	

19 The Complainant, the Commissioner of Financial Protection and Innovation (Commissioner),
20 is informed and believes and based upon such information and belief, alleges and charges as follows:

21
22 **I**

23 **Introduction**

24 1. Guaranty Home Mortgage Corporation (Respondent) is a residential mortgage lender
25 and servicer licensed by the Commissioner pursuant to the California Residential Mortgage Lending
26 Act (Fin. Code, § 50000 et seq.) (CRMLA).

27 2. Respondent's principal place of business is 3200 Park Drive Suite 110, Nashville,
28 Tennessee 37203.

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II

Factual Background

3. Financial Code section 50205 requires that a residential mortgage lender and servicer maintain a surety bond.

4. On or about August 30, 2023 the Commissioner received notice that Respondent’s surety bond would be cancelled on September 10, 2023 if the bond was not reinstated, continued, or replaced before that date.

4. On October 27, 2023 the Commissioner notified Respondent through the Nationwide Mortgage Licensing System (NMLS), informing the company that the Commissioner would issue an Order to Discontinue Violations under Financial Code sections 50321 and 50323 if the surety bond was not reinstated, continued, or replaced by November 6, 2023.

5. Respondent’s bond expired on September 10, 2023.

6. Respondent has yet to replace or reinstate its surety bond in violation of Financial Code section 50205.

7. Respondent failed to comply with the bonding requirements of Financial Code section 50205 and is conducting business in such an unsafe or injurious manner as to render further operations hazardous to the public or to customers.

III

Law

8. Financial Code section 50321 provides:

If, after investigation, the commissioner has reasonable grounds to believe that any licensee has violated its articles of incorporation or any law or rule binding upon it, the commissioner shall, by written order addressed to the licensee, direct the discontinuance of the violation. The order shall be effective immediately, but shall not become final except in accordance with the provisions of Section 50323.

9. Financial Code section 50323 provides:

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(a) No order issued pursuant to Section 50321 or 50322 may become final except after notice to the affected licensee of the commissioner’s intention to make the order final and of the reasons for the finding. The commissioner shall also notify the licensee that upon receiving a request the matter will be set for hearing to commence within 15 business days after receipt. The licensee may consent to have the hearing commence at a later date. If no hearing is requested within 30 days after the mailing or service of the required notice, and none is ordered by the commissioner, the order may become final without hearing and the licensee shall immediately discontinue the practices named in the order. If a hearing is requested or ordered, it shall be held in accordance with the provisions of the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), and the commissioner shall have all of the powers granted under that act. If, upon the hearing, it appears to the commissioner that the licensee is conducting business in an unsafe and injurious manner or is violating its articles of incorporation or any law of this state, or any rule binding upon it, the commissioner shall make the order of discontinuance final and the licensee shall immediately discontinue the practices named in the order.

(b) The licensee has 10 days after an order is made final to commence an action to restrain enforcement of the order. If the enforcement of the order is not enjoined within 10 days by the court in which the action is brought, the licensee shall comply with the order.

IV

Conclusion

Based upon the foregoing, the Commissioner finds that Guaranty Home Mortgage Corporation has failed to maintain a surety bond in violation of Financial Code section 50205.

WHEREFORE, good cause showing, the Commissioner of Financial Protection and Innovation is issuing an Order to Discontinue Violations under Financial Code section 50321 and notifying Guaranty Home Mortgage Corporation of her intention to make the order final under Financial Code section 50323.

Dated: November 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation

By _____
MEIRCEE BOULAHROUD

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Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorneys for Complainant
5

6 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
7 OF THE STATE OF CALIFORNIA
8

9	In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
10	THE COMMISSIONER OF FINANCIAL)	
11	PROTECTION AND INNOVATION,)	
12	Complainant,	)	ORDER TO DISCONTINUE VIOLATIONS
13	v.	)	PURSUANT TO FINANCIAL CODE
14		)	SECTION 50321
15	GUARANTY HOME MORTGAGE)	
16	CORPORATION,)	
17	Respondent.)	

18
19
20 TO: Guaranty Home Mortgage Corporation
3200 Park Drive Suite 110, Nashville, TN 37203
21

22 The Commissioner of Financial Protection and Innovation (Commissioner) finds that:
23 Guaranty Home Mortgage Corporation’s (Respondent), surety bond expired on September 10, 2023.
24 Respondent failed to maintain its surety bond in violation of Financial Code section 50205.
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NOW, BASED ON THE FOREGOING, AND GOOD CAUSE APPEARING, it is hereby ORDERED under the provisions of the Financial Code sections 50321 and 50323 that Guaranty Home Mortgage Corporation discontinue the violations set forth above.

Dated: November 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation



By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorney for Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA
7

8 In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
)	
9 THE COMMISSIONER OF FINANCIAL)	
10 PROTECTION AND INNOVATION,)	
)	
11 Complainant,	)	NOTICE OF INTENTION TO ISSUE ORDER
12 v.	)	REVOKING CALIFORNIA RESIDENTIAL
	)	MORTGAGE LENDING AND/OR
13 GUARANTY HOME MORTGAGE	)	SERVICING LICENSE
14 CORPORATION,)	
)	
15 Respondent.)	

16 Pursuant to Financial Code section 50327 of the California Residential Mortgage Lending
17 Act (Fin. Code, § 50000 et seq.), notice is hereby given of the intention of the Commissioner of
18 Financial Protection and Innovation to enter an Order revoking Respondent, Guaranty Home
19 Mortgage Corporation’s residential mortgage lender and servicer license.

20 The attached Accusation, which is incorporated herein by this reference, states the reasons
21 for the intended Order.

22 Unless a request for hearing, as evidenced by the mailing or delivery of the Notice of
23 Defense, is received within 15 days after the Accusation was personally served upon you or mailed
24 to you, such Order may be entered at any time thereafter without a hearing.

25
26 Dated: November 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation

27
28 By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorney for Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA

8 In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
)	
10 THE COMMISSIONER OF FINANCIAL)	
PROTECTION AND INNOVATION,)	
)	
11 Complainant,)	ACCUSATION
)	
12 v.)	
)	
14 GUARANTY HOME MORTGAGE)	
CORPORATION,)	
)	
16 Respondent.)	
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18
19 The Complainant, the Commissioner of Financial Protection and Innovation
20 (Commissioner) is informed and believes, and based upon such information and belief, alleges and
21 charges Respondent Guaranty Home Mortgage Corporation (Respondent) as follows:

22 **I.**

23 **Introduction**

24 1. The Commissioner is authorized to administer and enforce the provisions of the
25 California Residential Mortgage Lending Act (Fin. Code, § 50000 et seq.) (CRMLA) and the rules
26 and regulations promulgated thereunder.

27 2. Respondent is a residential mortgage lender and servicer licensed by the Commissioner
28 pursuant to the CRMLA. Respondent’s principal place of business is 3200 Park Drive Suite 110,
Nashville, Tennessee 37203.

1 3. Pursuant to Financial Code section 50205, residential mortgage lender and servicer
 2 are required to maintain a surety bond.

3 4. On or around August 30, 2023 the Commissioner received notice that Respondent’s
 4 surety bond would expire on September 10, 2023.

5 5. On or around October 27, 2023, the Commissioner notified Respondent through the
 6 Nationwide Mortgage Licensing System (NMLS) and a letter that a replacement surety bond had to
 7 be filed no later than the cancellation date to avoid suspension or revocation of its residential
 8 mortgage lender and servicer license.

9 6. Respondent’s surety bond expired on September 10, 2023.

10 7. Respondent has yet to replace or reinstate its surety bond in violation of Financial
 11 Code section 50205.

II.

Law

14 8. Financial Code section 50205 provides, in pertinent part:

15 (a) A residential mortgage lender or servicer licensee shall maintain a surety
 16 bond in accordance with this subdivision. The bond shall be used for the
 17 recovery of expenses, fines, and fees levied by the commissioner in accordance
 18 with this division or for losses or damages incurred by borrowers or consumers
 19 as the result of a licensee’s noncompliance with the requirements of this
 20 division. The bond shall be payable when the licensee fails to comply with a
 21 provision of this division and shall be in the amount of fifty thousand dollars
 22 (\$50,000), and may be increased by order of the commissioner to one hundred
 23 thousand dollars (\$100,000) upon a determination by the commissioner that the
 24 licensee is not in compliance with any provision of this chapter or any rule or
 25 order adopted or issued by the commissioner to implement or enforce
 26 provisions of this chapter. The bond shall be payable to the commissioner and
 27 issued by an insurance company authorized to do business in this state. An
 28 original surety bond, including any and all riders and endorsements executed
 subsequent to the effective date of the bond, shall be filed with the
 commissioner within 10 days of its execution.

(b) ... Failure to file a new bond within 10 days of the recovery on a bond, or
 within 10 days after notification by the commissioner that a new bond is
 required, constitutes sufficient grounds for the suspension or revocation of the
 license.

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(c) The commissioner may by rule require a higher bond amount for a licensee employing one or more mortgage loan originators, based on the dollar amount of residential mortgage loans originated by that licensee and any mortgage loan originators employed by that licensee. Every mortgage loan originator employed by the licensee shall be covered by the surety bond.

9. Financial Code section 50327 provides:

(a) The commissioner may, after notice and a reasonable opportunity to be heard, deny, decline to renew, suspend, or revoke any license if the commissioner finds that:

(1) The licensee has violated any provision of this division or any rule or order of the commissioner thereunder.

(2) Any fact or condition exists that, if it had existed at the time of the original application for the license, reasonably would have warranted the commissioner in refusing to issue the license originally.

(b) The power of investigation and examination by the commissioner is not terminated by the denial, nonrenewal, surrender, suspension, or revocation of any license issued by him or her.

III.

Conclusion

The Commissioner finds that, by reason of the foregoing, Respondent has violated Financial Code section 50205, and based thereon, grounds exist to revoke Respondent’s residential mortgage lender and servicer license.

WHEREFORE, IT IS PRAYED that Guaranty Home Mortgage Corporation’s residential mortgage lender and servicer license be revoked.

Dated: November 7, 2023
Sacramento, CA

Clothilde V. Hewlett
Commissioner of Financial Protection and Innovation

By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

1 MARY ANN SMITH
Deputy Commissioner
2 Department of Financial Protection and Innovation
320 West 4th Street, Suite 750
3 Los Angeles, California 90013

4 Attorney for Complainant

5 BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
6 OF THE STATE OF CALIFORNIA

8 In the Matter of:) CRMLA LICENSE NO.: 41DBO-100446
9)
10 THE COMMISSIONER OF FINANCIAL)
PROTECTION AND INNOVATION,)
11)
Complainant,) STATEMENT TO RESPONDENT
12)
13 v.)
14)
GUARANTY HOME MORTGAGE)
CORPORATION,)
15)
16 Respondent.)
17)

18
19 TO: Guaranty Home Mortgage Corporation
3200 Park Drive Suite 110, Nashville, TN 37203
20

21 Attached is a copy of the Accusation issued in the above captioned matter, which is hereby
22 served upon you in accordance with the provisions of Section 11505, subdivision (c) of the
23 Government Code.

24 Unless a written request for a hearing signed by or on behalf of the person named as the
25 respondent in the accompanying Accusation is delivered or mailed to the agency within 15 days after
26 the Accusation was personally served on you or mailed to you, the Department of Financial
27 Protection and Innovation may proceed upon the Accusation without a hearing. The request for a
28 hearing may be made by delivering or mailing the enclosed form entitled Notice of Defense, or by

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delivering or mailing a Notice of Defense as provided by section 11506 of the Government Code to:

Meircee Boulahroud
Financial Institutions Manager, California Residential Mortgage Lending Act
Department of Financial Protection and Innovation
2101 Arena Blvd.
Sacramento, CA 95834

You may, but need not, be represented by counsel at any or all steps of these proceedings.

If you desire the names and addresses of witnesses or an opportunity to inspect and copy the items mentioned in section 11507.6 of the Government Code in the possession, custody or control of the agency, you may contact:

Meircee Boulahroud
Financial Institutions Manager, California Residential Mortgage Lending Act
Department of Financial Protection and Innovation
2101 Arena Blvd.
Sacramento, CA 95834

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the agency or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to give notice within 10 days will deprive you of a postponement.

In accordance with the provisions of section 11505 of the Government Code, attached are copies of sections 11507.5, 11507.6, and 11507.7 of the Government Code.

Dated: November 7, 2023
Sacramento, CA

CLOTHILDE V. HEWLETT
Commissioner of Financial Protection and Innovation

By _____
MEIRCEE BOULAHROUD
Financial Institutions Manager
California Residential Mortgage Lending Act

BEFORE THE DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
OF THE STATE OF CALIFORNIA

In the Matter of:	)	CRMLA LICENSE NO.: 41DBO-100446
)	
THE COMMISSIONER OF FINANCIAL PROTECTION AND INNOVATION,)	
)	
Complainant,	)	NOTICE OF DEFENSE
)	
v.)	
)	
GUARANTY HOME MORTGAGE CORPORATION,)	
)	
Respondent.)	
)	

TO: DEPARTMENT OF FINANCIAL PROTECTION AND INNOVATION
 Meircee Boulahroud
 Financial Institutions Manager, California Residential Mortgage Lending Act
 Department of Financial Protection and Innovation
 2101 Arena Blvd.
 Sacramento, CA 95834

I, the undersigned and the respondent named in this proceeding, hereby acknowledge receipt of a copy of the Notice of Intention, Accusation, Statement to Respondent, a copy of Government Code sections 11507.5, 11507.6, and 11507.7, and a blank form of notice of defense.

You are hereby notified that I request a hearing in the above-entitled matter.

_____	_____
Signature	(Name)

	(Street Address)
_____	_____
Date	(City, State, Zip Code)

	(Telephone Number)

GOVERNMENT CODE SECTIONS

11507.5. The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

11507.6. After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

- (a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;
- (b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;
- (c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;
- (d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;
- (e) Any other writing or thing which is relevant and which would be admissible in evidence;
- (f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

11507.7. (a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal

resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

11522. A person whose license has been revoked or suspended may petition the agency for reinstatement or reduction of penalty after a period of not less than one year has elapsed from the effective date of the decision or from the date of the denial of a similar petition. The agency shall give notice to the Attorney General of the filing of the petition and the Attorney General and the petitioner shall be afforded an opportunity to present either oral or written argument before the agency itself. The agency itself shall decide the petition, and the decision shall include the reasons therefor, and any terms and conditions that the agency reasonably deems appropriate to impose as a condition of reinstatement. This section shall not apply if the statutes dealing with the particular agency contain different provisions for reinstatement or reduction of penalty.

1 **Case Name: In the Matter of the Commissioner of Financial Protection and Innovation v.**
2 **Guaranty Home Mortgage Corporation**

3 **PROOF OF SERVICE**
4 [Code Civ. Proc. §1013(a)]

5 I, the undersigned, declare that I am over the age of eighteen (18) years, and not a party to the
6 within entitled action. I am employed at the California Department of Financial Protection and
7 Innovation, 2101 Arena Blvd., Sacramento, California, 95834.

8 On the date listed below, I served the following document(s):

- 9 1. Order to Discontinue Residential Mortgage Lending And/Or Servicing Activities Pursuant to Financial Code section 50319
- 10 2. Order to Discontinue Violations under Financial Code section 50321
- 11 3. Statement of Facts in Support of Order to Discontinue Violations Pursuant to Financial Code section 50321.
- 12 4. Notice of Intention to Issue Order Revoking Residential Mortgage Lending And/Or Servicing License;
- 13 5. Accusation;
- 14 6. Statement to Respondent;
- 15 7. Notice of Defense; and
- 16 8. Government Code sections 11507.5, 11507.6 and 11507.7, relating to discovery and section 11522, relating to reinstatement.

17 on the parties in said cause, at the address(es) listed below:

18 3200 Park Drive Suite 110
19 Nashville, Tennessee 37203

20 compliance@ghmc.com

21
22
23 [X] CERTIFIED MAIL: U.S. POSTAL SERVICE: by placing a true and correct copy of the
24 aforementioned document(s) in a sealed envelope and placing it in the mail depository at my
25 place of business, certified, return receipt requested with postage prepaid, addressed as listed
26 above.

27 [X] FIRST CLASS MAIL: by placing a true and correct copy of the aforementioned document(s)
28 in a sealed envelope and placing it in the mail depository at my place of business, with
postage prepaid, addressed as listed above.

1 [] FACSIMILE: by transmitting the aforementioned document(s) by facsimile to the parties at
2 the above listed facsimile telephone numbers on _____, from (213) 576-7181, which is
3 maintained by the California Department of Financial Protection and Innovation, and
4 verifying receipt of same.

4 [X] EMAIL: by transmitting a true and correct copy of the aforementioned document(s) via
5 electronic mail.

6 [] EXPRESS MAIL: by placing a true and correct copy of the aforementioned document(s),
7 addressed as listed above, in a sealed envelope and depositing in a repository regularly
8 maintained by Federal Express for receipt of express mail at a Los Angeles, California
9 location _____ with fees fully prepaid.

9 [] PERSONAL DELIVERY: by hand delivering a true and correct copy of the aforementioned
10 document(s) to the address(es) listed above.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing
12 is true and correct. Executed on **November 7, 2023** at Sacramento, California.

13
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15 _____
16 Meircee Boulahroud
17 Assistant Deputy Commissioner
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