## The State of Alabama State Banking Department

IN THE MATTER OF	)	
	)	
CAUGHERN & ASSOCIATES	)	Case # MB-2009-01
Also known as	)	
CAUGHERN REAL ESTATE	)	

## CEASE AND DESIST ORDER

On January 22, 2009, the Undersigned gave notice to Caughern & Associates, also known as Caughern Real Estate, by certified mail, return receipt requested, that he had received information giving reasonable grounds to believe that it was conducting a mortgage broker business in the State of Alabama without a license and that he intended to enter a Cease and Desist Order against it. As required by \$ 5-25-16(a), he gave notice that Caughern & Associates was entitled to a hearing before such an Order would enter. He further gave it notice that the hearing was scheduled for February 19, 2009, at 11:00 a.m. The return receipt was signed on January 26, 2009.

As scheduled, the hearing was convened on February 19, 2009. Present, representing the Department, was W. Mark Anderson III, its Deputy General Counsel. No one appeared for Caughern & Associates. Jeremy Windham, an examiner for this Bureau, testified that he had received information that Caughern & Associates was soliciting business within

the State of Alabama which required licensing under the Mortgage Broker Act when, in fact, Caughern & Associates is not and has not been licensed by this Department to conduct such business in this state.

It is, therefore, ORDERED as follows:

- 1. That Caughern & Associates cease and desist from conducting, or undertaking to conduct, any mortgage broker business within the state of Alabama until such time as it is properly licensed to do so by this Department.
- 2. That violation of this Order will be dealt with to the full extent of the law.
- 3. That a copy of this Order be mailed to Caughern & Associates by first class mail.

Issued at Montgomery, this 20th day of February, 2009.

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Supervisor Bureau of Loans

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