

# MORTGAGE FRAUD IS A FELONY IN GEORGIA



The Georgia Residential Mortgage Fraud Act (O.C.G.A. § 16-8-100, *et seq.*) is one of the most comprehensive anti-mortgage fraud laws in the country.

- **Conduct Prohibited**—The Act prohibits anyone from knowingly making or helping someone else make a misrepresentation or omission during a loan application, origination, closing or any other part of the mortgage lending process. It also makes it illegal for anyone to receive any funds from a loan closing if that person knew the funds were obtained as a result of a misrepresentation or omission made during the mortgage lending process.
- **The Penalties**—Each violation of the Act is punishable by up to ten years in prison and a fine, and a pattern of mortgage fraud can result in up to 20 years imprisonment. All property used in or derived from mortgage fraud is subject to forfeiture to the state.
- **Who Prosecutes It**—The state’s attorney general and all of Georgia’s district attorneys have the authority to investigate and prosecute mortgage fraud cases.

For the protection of our  
neighborhoods, this warning  
was created by



**GREFPAC**

Georgia Real Estate Fraud Prevention  
and Awareness Coalition

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