

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.

