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**FILED**

NOV 07 2023

DEPT. OF REAL ESTATE

By \_\_\_\_\_

BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation of	)	No. H-05270 SD
	)	
	)	
<b><u>FIDELITY GENERAL, INC.</u></b> and	)	<u>ORDER ACCEPTING</u>
KENNETH W. TERRILL, individually	)	<u>VOLUNTARY SURRENDER</u>
and as designated officer of	)	<u>OF MORTGAGE LOAN</u>
Fidelity General, Inc.,	)	<u>ORIGINATOR LICENSE</u>
	)	<u>ENDORSEMENT</u>
	)	
Respondents.	)	

ORDER ACCEPTING VOLUNTARY SURRENDER OF  
MORTGAGE LOAN ORIGINATOR LICENSE ENDORSEMENT

On or about February 24, 2023, Respondent FIDELITY GENERAL, INC. petitioned the Commissioner of the Department of Real Estate (“Department” or “DRE”), under California Business and Professions Code section 10100.2, to voluntarily surrender its Mortgage Loan Originator (“MLO”) license endorsement (NMLS ID 1124345) and/or license endorsement rights that had been issued under its now-surrendered real estate broker license and/or licensing rights (DRE ID 01961872, surrendered as of December 9, 2022).

///

1 IT IS HEREBY ORDERED that Respondent FIDELITY GENERAL, INC.'s  
2 petition for voluntary surrender of its MLO license endorsement and/or license endorsement  
3 rights is accepted as of the effective date of this Order as set forth below, based upon the  
4 understanding and agreement expressed in Respondent's Declaration dated February 24, 2023  
5 (attached as Exhibit "A" hereto). If applicable, the license certificate and pocket card of  
6 FIDELITY GENERAL, INC. shall be sent to the below listed address so that they reach the  
7 Department of Real Estate on or before the effective date of this Order:

8 Department of Real Estate  
9 Attn: Licensing Flag Section  
10 P. O. Box 137013  
11 Sacramento, CA 95813-7013


12 This Order shall become effective at 12 o'clock noon on

13 **NOV 28 2023**

14 IT IS SO ORDERED

15 10/31/2023

16 DOUGLAS R. McCAULEY  
17 REAL ESTATE COMMISSIONER

18   
19 By: **MARCUS McCARTHER**  
20 Chief Deputy Real Estate Commissioner  
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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

\* \* \*

In the Matter of the Accusation of ) No. H-05270 SD  
)  
FIDELITY GENERAL, INC. and )  
KENNETH W. TERRILL, individually )  
and as designated officer of )  
Fidelity General, Inc., )  
)  
Respondents. )

DECLARATION

My name is KENNETH W. TERRILL, and I have been an officer of FIDELITY  
GENERAL, INC. from September 10, 2018 to September 9, 2022. FIDELITY GENERAL,  
INC., which previously been licensed as a real estate broker with a Mortgage Loan Originator  
license endorsement, surrendered its broker license and/or license rights on December 9, 2022.  
I am authorized and empowered to sign this declaration on behalf of FIDELITY GENERAL,  
INC. I am acting on behalf of FIDELITY GENERAL, INC. in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the  
Administrative Procedure Act (Sections 11400 et seq., of the California Government Code),  
FIDELITY GENERAL, INC. wishes to voluntarily surrender its Mortgage Loan Originator

1 ("MLO") license endorsement and/or license endorsement rights that was issued under its now-  
2 surrendered real estate broker license issued by the Department of Real Estate ("Department"),  
3 pursuant to California Business and Professions Code section 10100.2.

4 I understand that FIDELITY GENERAL, INC., by so voluntarily surrendering its  
5 MLO license endorsement and/or license endorsement rights, can only have it reinstated or  
6 issued in accordance with the provisions of California Government Code section 11522. I also  
7 understand that by so voluntarily surrendering its MLO license endorsement, FIDELITY  
8 GENERAL, INC. agrees to the following:

9 1. The filing of this Declaration shall be deemed as its petition for voluntary  
10 surrender of its MLO license endorsement (NMLS ID 1124345) under its now-surrendered real  
11 estate broker license (Department ID 01961872).

12 2. It shall also be deemed to be an understanding and agreement by FIDELITY  
13 GENERAL, INC. that it waives all rights it has to require the Commissioner to prove the  
14 allegations contained in the Accusation filed in this matter at a hearing held in accordance with  
15 the provisions of the Administrative Procedure Act (California Government Code sections  
16 11400 et seq.), and that it also waives other rights afforded to it in connection with the hearing,  
17 such as the right to discovery, the right to present evidence in defense of the allegations in the  
18 Accusation and the right to cross-examine witnesses.

19 3. I further agree on behalf of FIDELITY GENERAL, INC. that upon  
20 acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all  
21 relevant evidence obtained by the Department in this matter prior to the Commissioner's  
22 acceptance, and all allegations contained in the Accusation filed in the Department Case No. H-  
23 05270 SD, may be considered by the Department to be true and correct for the purpose of  
24 deciding whether to grant reinstatement or issuance of a new MLO endorsement of FIDELITY  
25 GENERAL, INC. pursuant to California Government Code section 11522.


26 4. FIDELITY GENERAL, INC. freely and voluntarily surrenders all of its MLO  
27 license endorsement under the Real Estate Law.

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5. FIDELITY GENERAL, INC. cannot rescind its petition for voluntary  
surrender.

I declare under penalty of perjury under the laws of the State of California that  
the above is true and correct and that I am acting freely and voluntarily on behalf of FIDELITY  
GENERAL, INC. to surrender its MLO endorsement and/or license endorsement rights attached  
thereto, under the Real Estate Law.

This declaration was executed 2/24, 2023, at  
SAN DIEGO, California.

  
\_\_\_\_\_  
FIDELITY GENERAL, INC.  
By: Kenneth W. Terrill