

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING

Before the Commissioner of the Division of Mortgage Lending

In the Matter of:)	
)	Order No. <u>2014-106</u>
ANNA IVETTE MORALES)	
Mortgage Agent License No. 26601,)	Case No. 2014-106
NMLS License No. 335932,)	
)	
Respondent.)	

CONSENT ORDER

Issued and Entered,
This 18th day of December, 2014,
By James Westrin,
Commissioner

The Commissioner of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Commissioner") having been statutorily charged with the responsibility and authority to administer and enforce Chapter 645B of the Nevada Revised Statutes, NRS 645B.010 *et seq.* ("NRS 645B" or "the Act") and Chapter 645B of the Nevada Administrative Code, NAC 645B.001 *et seq.* ("NAC 645B" or "the Regulation"), governing the licensing and conduct of mortgage brokers and mortgage agents in the State of Nevada; and,

The Commissioner having been granted general supervisory power and control over all mortgage brokers and mortgage agents doing business in the State of Nevada pursuant to NRS 645B; and,

ANNA IVETTE MORALES (hereinafter, "RESPONDENT") having made application for and been granted a mortgage agent license (MLD License No. 26601/NMLS ID 335932) by the Commissioner, on September 23, 2004, pursuant to provisions of the Act; and,

RESPONDENT having held a mortgage agent license at all times relevant to this matter and is, therefore, subject to the jurisdiction of the Commissioner; and,

1 The Division of Mortgage Lending (the "Division") having received a written complaint and
2 commenced an investigation pursuant to NRS 645B.060; and,

3 Based upon the findings of the investigation, Division staff determined that, contrary to NRS
4 645B.450(1) and NRS 645B.670(1)(c)(11)-(12), RESPONDENT associated with or was employed by
5 more than one licensed or exempt mortgage broker and received compensation for mortgage agent
6 activity from a person that was not her employer and sponsor in the Nationwide Mortgage System and
7 Registry; and,

8 RESPONDENT having, in accordance with NRS 233B.127(3), been served on or about
9 August 20, 2014 with a Notice of Opportunity to Show Compliance and Proposed Administrative
10 Complaint providing RESPONDENT with (1) notice of facts or conduct which warrant disciplinary
11 action against RESPONDENT'S mortgage agent license and (2) notice of her opportunity for an
12 informal conference, prior to the commencement of formal disciplinary action, to show compliance with
13 all lawful requirements for the retention of her license; and,

14 RESPONDENT exercised her right to an informal conference at the Division's offices on
15 September 16, 2014 attended by Division staff and counsel and RESPONDENT and RESPONDENT'S
16 counsel. At the informal conference RESPONDENT stated that:

17 1. In her personal capacity, RESPONDENT was referred to lender (the "lender") to obtain
18 financing for her personal purchase of investment properties. In the course of her dealings with the
19 lender, RESPONDENT developed an informal advisory and consulting type of relationship with the
20 lender and would informally advise the lender or its staff on forms and disclosures. This relationship
21 lasted for approximately nine months and RESPONDENT received compensation in the amount of
22 \$2,125.00. RESPONDENT viewed this only as an advisory and consulting relationship and was not
23 aware that her name appeared on any documents.

24 2. At no time did RESPONDENT take an application, discuss or negotiate loan terms, or refer or
25 bring a borrower or applicant to the lender or any person other than the mortgage broker that she was
26 employed and sponsored by.

1 Based upon those discussions, and to avoid the time and expense of a protracted evidentiary
2 hearing, the Division and RESPONDENT have agreed and determined to resolve this matter pursuant to
3 the following terms:

4 1. RESPONDENT agrees to CEASE AND DESIST from any and all violations of NRS
5 645B. RESPONDENT further acknowledges and understands the Act prohibits her from:

6 a. offering or providing, or otherwise holding herself as being able to offer or
7 provide, any of the services of a mortgage agent in the state of Nevada on behalf of any person other
8 than the mortgage broker, mortgage banker or exempt person with who she is employed and sponsored,
9 as reflected by the records of the Division; and,

10 b. directly or indirectly, receiving any commission, fees, points or any other
11 compensation or remuneration for mortgage agent activity from any person other than the mortgage
12 broker or mortgage banker by whom she is sponsored and employed, as reflected by the records of the
13 Division; and,

14 2. RESPONDENT agrees to pay to the Division, pursuant to NRS 645B.670(1)(c)(11)-(12),
15 an ADMINISTRATIVE FINE in the amount of \$3,125.00; and,

16 3. RESPONDENT agrees to pay to the Division the Division's ADMINISTRATIVE
17 COSTS and other costs in the amount of \$900.00, in accordance with NRS 622.400; and,

18 4. RESPONDENT understands and agrees that failure to strictly comply with each and
19 every provision of this consent order is a violation of NRS 645B.670(1)(c)(12) and is grounds for any
20 discipline authorized under NRS 645B; and,

21 RESPONDENT, having knowingly and voluntarily affixed her signature to the attached
22 VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S CONSENT ORDER ("Voluntary
23 Consent"), incorporated herein by this reference, has consented to the issuance of this CONSENT
24 ORDER (the "Order") with the intent to be legally bound hereby, and has waived and relinquished any
25 and all rights that RESPONDENT may now or hereafter have to be served with a notice of charges and
26 an administrative hearing in this matter or to judicial review of, or otherwise challenge or contest, the
27 entry of this Order; and,

1 RESPONDENT, having had opportunity to consult with legal counsel of her choosing
2 concerning this matter; and,

3 The Commissioner having determined that the terms of this ORDER are a reasonable resolution
4 of this matter and in the public interest.

5 NOW, THEREFORE, IT IS HEREBY ORDERED that:

6 1. RESPONDENT shall CEASE AND DESIST from any and all violations of NRS 645B.

7 2. RESPONDENT shall pay to the Division an ADMINISTRATIVE FINE in the amount of
8 \$3,125.00. The ADMINISTRATIVE FINE shall be and is due upon ANNA IVETTE MORALES'
9 execution of the attached Voluntary Consent and shall be tendered to the Division in accordance with
10 the instructions included in the enclosed invoice.

11 3. RESPONDENT shall pay to the Division, upon the entry of this order, the Division's
12 ADMINISTRATIVE COSTS and other costs in the amount of \$900.00. The ADMINISTRATIVE
13 COSTS and other costs shall be and are due upon ANNA IVETTE MORALES' execution of the
14 attached Voluntary Consent and shall be tendered to the Division with the ADMINISTRATIVE FINE
15 described above in accordance with the instructions included in the enclosed invoice.

16 4. This Order shall be and is effective and enforceable on the date that it is issued, as shown
17 in the caption hereof.

18 5. This Order shall remain effective and enforceable until terminated, modified, set aside,
19 or suspended in writing by the Commissioner.

20 6. The Commissioner specifically retains jurisdiction over the matters contained herein and
21 has the authority to issue such further order(s) as he shall deem just, necessary, and appropriate to
22 enforce the provisions of NRS 645B.010 *et seq.* and protect the public.

23 IT IS SO ORDERED.

24 DIVISION OF MORTGAGE LENDING

25
26
27 By: 
28 JAMES WESTRIN, COMMISSIONER