

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:

LA COSTA LOANS INC.
Mortgage Broker License No. UNL,

and

RICHARD SHRIGLEY, President
Mortgage Broker License No. UNL,

Respondents.

Order No. 2015-033

Case No. 2015-033

CONSENT ORDER REQUIRING COMPLIANCE,
IMPOSING AN ADMINISTRATIVE FINE
AND
ASSESSING INVESTIGATIVE COSTS

Issued and Entered,
This 4th day of October, 2016,
By Nancy Corbin,
Acting 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 Statute"), 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 further granted general supervisory power and control and administrative enforcement authority over all mortgage brokers and mortgage agents doing business in the State of Nevada pursuant to the NRS 645B including the authority to conduct such investigations as may be necessary to determine any person has violated the Statute or Regulation; and,

1 The Division of Mortgage Lending (the "Division") having received information indicating that
2 LA COSTA LOANS INC. ("LA COSTA") and RICHARD SHRIGLEY ("SHRIGLEY") (collectively,
3 the "RESPONDENTS") may have engaged in activity requiring licensure as a mortgage broker under
4 the Statute; and,

5 SHRIGLEY is the President of LA COSTA, a California corporation, which is located at 703
6 Palomar Airport Road, Suite 225, Carlsbad, California 92011. RESPONDENTS are not currently
7 licensed nor have ever been licensed by the Division; and,

8 Division Staff ("Staff") having conducted an investigation pursuant to NRS 645B.060(2)(c),
9 and, from that investigation determined that RESPONDENTS may have engaged in activity requiring
10 licensure as a mortgage broker, and were not properly licensed as required by the Statute; and,

11 The Division having informed RESPONDENTS of the results of the investigation; and,

12 RESPONDENTS and Staff having met to discuss this matter and RESPONDENTS having
13 expressed their belief that they did not violate the Statute, their intent to comply with the Statute, and
14 their desire to cooperate with the Division, and to avoid the time and expense involved in a formal
15 administrative enforcement hearing; and,

16 The Division and RESPONDENTS having conferred concerning this matter and determined to
17 resolve this matter pursuant to the following terms:

18 1. RESPONDENTS, without admitting any liability, agree to not violate any provisions of
19 NRS 645B or NAC 645B. RESPONDENTS further acknowledge and understand that the Statute
20 prohibits them from advertising, engaging in, or otherwise carrying on or holding themselves out as
21 engaging in or carrying on any activities that require licensure as a mortgage broker under the Statute
22 until and unless they are properly licensed under the Statute;

23 2. RESPONDENTS agree to pay the Division's INVESTIGATIVE COSTS in the amount
24 of \$4,260.00 upon RESPONDENTS' execution of the attached VOLUNTARY CONSENT TO ENTRY
25 OF COMMISSIONER'S ORDER in accordance with the enclosed wiring instructions;

26 3. RESPONDENTS agree to pay an ADMINISTRATIVE FINE in the amount of Two
27 Hundred and Fifty-Five Thousand Dollars and No Cents (\$255,000.00) to the Division.
28 RESPONDENTS agree to pay the ADMINISTRATIVE FINE according to the following terms:

1 a. RESPONDENTS agree to make an initial payment in the amount of \$55,000.00
2 upon RESPONDENTS' execution of the attached VOLUNTARY CONSENT TO ENTRY OF
3 COMMISSIONER'S ORDER in accordance with the enclosed wiring instructions;

4 b. RESPONDENTS agree to make monthly payments in the amount of \$10,000.00
5 thereafter, until paid in full. Each payment shall be due on the 15th of every month, starting on
6 December 15, 2016, and shall be remitted in accordance with the enclosed wiring instructions. No
7 grace period is permitted. Any installment payment not actually received by the Division on or before
8 its due date shall be construed as an event of default by RESPONDENTS; and

9 c. In the event of default, RESPONDENTS agree that the unpaid balance of the
10 ADMINISTRATIVE FINE shall become immediately accelerated, and the unpaid balance, together
11 with actual and reasonable attorney's fees and costs incurred by the Division that may have been
12 assessed, shall be due in full to the Division within thirty calendar days of the date of default. Further,
13 debt collection actions for unpaid monetary assessments may be instituted by the Division; and,

14 4. RESPONDENTS may prepay the ADMINISTRATIVE FINE in full, or in part, without
15 premium or penalty, at any time prior to the due date thereof. If RESPONDENTS prepay a portion of
16 the ADMINISTRATIVE FINE such that a payment is made earlier than required, the additional
17 payment shall be applied to the next monthly payment(s) and no additional monthly payment(s) shall be
18 due until the amount of any such prepayment(s) is exhausted; and,

19 RESPONDENTS having knowingly and voluntarily affixed their authorized signature to the
20 attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER, incorporated
21 herein by this reference, have consented to the issuance of this Order with the intent to be legally bound
22 hereby, and have waived and relinquished any and all rights that RESPONDENTS may now or
23 hereafter have to an administrative hearing in this matter or to judicial review of, or otherwise challenge
24 or contest, the entry of this Order; and,

25 RESPONDENTS having had opportunity to consult with legal counsel of their choosing
26 concerning this matter; and,

27 The Commissioner having made the following FINDINGS and CONCLUSIONS:

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1 1. The Commissioner has jurisdiction and authority to issue this Order in this matter,
2 pursuant to the Nevada Administrative Procedures Act (“NAPA”), NRS 233B.010 *et seq.*, and the
3 Mortgage Brokers and Mortgage Agents Act, NRS 645B.010 *et seq.*

4 2. All required notices have been issued in this matter, and the notices and service thereof
5 were appropriate and lawful in all respects.

6 3. The terms of this Order are a reasonable resolution of this matter and in the public
7 interest.

8 4. All applicable provisions of NAPA and NRS 622 have been met.

9 5. RESPONDENTS may have violated NRS 645B.900.

10 NOW, THEREFORE, IT IS HEREBY ORDERED that:

11 1. RESPONDENTS shall CEASE AND DESIST from any violation of the NRS 645B or
12 NAC 645B.

13 2. RESPONDENTS shall pay the Division’s INVESTIGATIVE COSTS in the amount of
14 \$4,260.00 upon RESPONDENTS’ execution of the attached VOLUNTARY CONSENT TO ENTRY
15 OF COMMISSIONER’S ORDER in accordance with the enclosed wiring instructions.

16 3. RESPONDENTS shall pay an ADMINISTRATIVE FINE in the amount of Two
17 Hundred and Fifty-Five Thousand Dollars and No Cents (\$255,000.00) to the Division.
18 RESPONDENTS shall pay the ADMINISTRATIVE FINE according to the following terms:

19 a. RESPONDENTS shall pay \$55,000.00 upon RESPONDENTS’ execution of the
20 attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER’S ORDER in accordance with
21 the enclosed wiring instructions;

22 b. RESPONDENTS shall make monthly payments in the amount of \$10,000.00
23 thereafter, until paid in full. Each payment shall be due on the 15th of every month, starting on
24 December 15, 2016, and shall be remitted in accordance with the enclosed wiring instructions. No
25 grace period is permitted. Any installment payment not actually received by the Division on or before
26 its due date shall be construed as an event of default by RESPONDENTS; and

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1 c. In the event of default, the unpaid balance of the ADMINISTRATIVE FINE shall
2 become immediately accelerated, and the unpaid balance, together with actual and reasonable attorney's
3 fees and costs incurred by the Division that may have been assessed, shall be due in full to the Division
4 within thirty calendar days of the date of default.

5 4. RESPONDENTS may prepay the ADMINISTRATIVE FINE in full, or in part, without
6 premium or penalty, at any time prior to the due date thereof. If RESPONDENTS prepay a portion of
7 the ADMINISTRATIVE FINE such that a payment is made earlier than required, the additional
8 payment shall be applied to the next monthly payment(s) and no additional monthly payment(s) shall be
9 due until the amount of any such prepayment(s) is exhausted.

10 5. This Order shall be and is effective and enforceable on the date that it is issued, as shown
11 in the caption hereof.

12 6. This Order shall remain effective and enforceable until terminated, modified, set aside or
13 suspended in writing by the Commissioner.

14 7. The Commissioner specifically retains jurisdiction of the matters contained herein and
15 has the authority to issue such further order(s) as he shall deem just, necessary, and appropriate to
16 enforce the Statute and protect the public.

17 IT IS SO ORDERED.

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19 DIVISION OF MORTGAGE LENDING

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21 By: 

Nancy Corbin, Acting Commissioner
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