

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:

DANIEL JOHN YSAIS, an individual,
Mortgage Loan Originator License No. 63163,
NMLS No. 1064501

Respondent.

Case No. 2021-001

CONSENT ORDER

Issued and Entered,
This 16th day of August, 2023,
By Cathy Sheehy,
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 and Chapter 645B of the Nevada Administrative Code (collectively, “the Act”), governing the licensing and conduct of mortgage agents and/or mortgage loan originators and mortgage brokers and/or mortgage companies doing business in the State of Nevada; and,

The Commissioner having been further vested with broad authority to conduct investigations to determine whether any person is violating or has violated any provision of the Act;

The Division of Mortgage Lending (“the Division”) having received information indicating that RESPONDENT Daniel John Ysais, an individual, (hereinafter “RESPONDENT”) made misrepresentations to the Division in applying for licensure in 2018; and

The Division having commenced an investigation of RESPONDENT’s application pursuant to NRS 645B.060, and having determined from that investigation that RESPONDENT did make misrepresentations to the Division in his application for licensure in 2018; and

RESPONDENT having been served on or about March 31, 2023, with a Notice of Intent to Issue and Enter Final Order, Imposing Administrative Fines, Requiring Payment of Investigative Costs, and

1 Notice of Opportunity for Hearing (“Notice of Intent”), providing RESPONDENT with (1) notice of facts
2 or conduct which warrant disciplinary action against RESPONDENT, (2) a notice of opportunity for
3 administrative hearing; and (3) a notice of an opportunity for an informal conference, prior to the
4 commencement of formal disciplinary action, to show compliance with all lawful requirements; and,

5 RESPONDENT having exercised his right to an informal conference, and that conference having
6 been held via videoconference on June 8, 2023, attended by Division staff and Division counsel as well as
7 RESPONDENT, *pro se*. At the conference RESPONDENT explained that he had no intention of violating
8 the Act and any violation that occurred was due to a misunderstanding on his part.

9 RESPONDENT now, having conferred with the Division’s counsel to resolve this matter without
10 the time and expense of a protracted evidentiary hearing, desires to resolve this matter in full pursuant to
11 the following terms:

- 12 1. RESPONDENT agrees to pay the Division administrative and other costs in the amount of
13 \$2,370.00, which will be paid as set forth below in paragraph 3.
- 14 2. RESPONDENT agrees to pay the Division an administrative fine of \$10,000.00 (the “Fine”);
15 however, by entering into this Consent Order, the Division agrees that \$2,500.00 shall be
16 paid by RESPONDENT as set forth below in paragraph 3, with the remaining \$7,500.00 of
17 the Fine to be held in abeyance with no payment due from RESPONDENT unless
18 RESPONDENT violates the Act, in which event the remainder of the Fine shall become due
19 upon notice from the Division to RESPONDENT.
- 20 3. Pursuant to Paragraphs 1 and 2 above, RESPONDENT is to pay the Division a total of
21 \$4,870.00. This amount will be paid by Respondent to the Division pursuant to a payment
22 plan as follows:
 - 23 a. \$1,000.00 due on August 31, 2023
 - 24 b. \$1,000.00 due on September 30, 2023
 - 25 c. \$1,000.00 due on October 31, 2023
 - 26 d. \$1,000.00 due on November 30, 2023
 - 27 e. \$870.00 due on December 31, 2023

28 RESPONDENT, having knowingly and voluntarily affixed his signature to the attached
VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER’S CONSENT ORDER (the “Voluntary

1 Consent”), incorporated herein by this reference, have consented to the issuance of this Consent Order (“the
2 Order”) with the intent to be legally bound hereby, and having waived and relinquished any and all rights
3 that RESPONDENT may now or hereafter has to attend an administrative hearing in this matter or to judicial
4 review thereof, or otherwise challenge or contest, the entry of this Order; and,

5 RESPONDENT, having had opportunity to consult with legal counsel of his choosing concerning
6 this matter; and,

7 The Commissioner having determined that the terms of this Order are a reasonable resolution of this
8 matter and in the public interest.

9
10 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 11 1. RESPONDENT shall pay to the Division its administrative and other costs in the amount of
12 \$2,370.00, which will be paid as set forth below in paragraph 3.
- 13 2. RESPONDENT is issued a fine (the “Fine”) in the amount of \$10,000.00. RESPONDENT shall pay
14 \$2,500.00, as set forth below in paragraph 3. The Division shall hold the remaining \$7,500.00 of the
15 Fine in abeyance, and provided that RESPONDENT does not further violate the Act,
16 RESPONDENT shall not be required to pay the remainder of the Fine. However, in the event that
17 RESPONDENT engages in any violation of the Act, upon notice from the Division, the entirety of
18 the Fine shall be immediately due and payable by RESPONDENT to the Division.
- 19 3. Pursuant to Paragraphs 1 and 2 above, RESPONDENT is to pay the Division a total of \$4,870.00.
20 This amount will be paid by Respondent to the Division pursuant to a payment plan as follows:
 - 21 a. \$1,000.00 due on August 31, 2023
 - 22 b. \$1,000.00 due on September 30, 2023
 - 23 c. \$1,000.00 due on October 31, 2023
 - 24 d. \$1,000.00 due on November 30, 2023
 - 25 e. \$870.00 due on December 31, 2023
- 26 4. This Order shall be and is effective and enforceable on the date that it is issued, as shown in the
27 caption hereof.
- 28 5. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended
in writing by the Commission.

1 6. The Commissioner specifically retains jurisdiction over the matters contained herein and has the
2 authority to issue such further orders as she shall deem just, necessary, and appropriate to enforce
3 this Consent Order. Notwithstanding the foregoing, nothing herein shall be construed to limit the
4 Commissioner's authority to bring any other action against Respondent not related to the
5 Investigation (defined in the Voluntary Consent), Notice of Intent, or this action, as necessary to
6 enforce the provisions of the Act and to protect the public.

7 IT IS SO ORDERED.

8
9 DIVISION OF MORTGAGE LENDING

10
11 By: 

12 Cathy Sheehy, Commissioner