

1 STATE OF NEVADA
2 DEPARTMENT OF BUSINESS AND INDUSTRY
3 DIVISION OF MORTGAGE LENDING

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5 In re:
6 DULCE SALINAS,
7 Respondent.

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10 **FINAL ORDER**

11 The State of Nevada, Department of Business and Industry, Division of Mortgage
12 Lending Division (hereinafter, the "DIVISION"), having served the Respondent, DULCE
13 SALINAS, (hereinafter, "RESPONDENT") on February 17, 2009, with its Amended Notice of
14 Intent to Revoke Mortgage Agent License and Notice of Intent to Impose Fine and Notice of
15 Right to Request Hearing, attached hereto as Exhibit "1" and incorporated herein by
16 reference, which notified RESPONDENT that a final order would issue in this matter unless,
17 within twenty (20) days of entry and receipt of said Order, RESPONDENT requested a
18 hearing to contest the charges against it, with said request to be made in writing, and;

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20 Said Order having been hand delivered to RESPONDENT at the DIVISION's Las
21 Vegas office and received by RESPONDENT on February 17, 2009, and;

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23 RESPONDENT having failed to request a hearing in this matter, and good cause
24 appearing:

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2 **IT IS HEREBY ORDERED** that, pursuant to NRS 645B.670(3) and NRS 645B.750,
3 RESPONDENT'S mortgage agent license in the State of Nevada is **REVOKED**.

4 **IT IS FURTHER ORDERED** that, pursuant to NRS 645B.670, RESPONDENT will be
5 subject to an administrative fine in the amount of FIVE HUNDRED FIFTY DOLLARS (\$550.00).

6 **IT IS FURTHER ORDERED** that the sum of said administrative fine be paid in full within
7 **thirty (30) days** of entry of the instant Order.

8 Dated this 6th day of March, 2009.

10 **STATE OF NEVADA**
11 **DEPARTMENT OF BUSINESS AND INDUSTRY**
12 **DIVISION OF MORTGAGE LENDING**

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16 By: Joseph L. Waltuch
17 **JOSEPH L. WALTUCH, COMMISSIONER**
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EXHIBIT “1”

1 STATE OF NEVADA
2 DEPARTMENT OF BUSINESS AND INDUSTRY
3 DIVISION OF MORTGAGE LENDING

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5 In re:
6 DULCE SALINAS,
7 Respondent.

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10 **AMENDED NOTICE OF INTENT TO REVOKE MORTGAGE AGENT**
11 **LICENSE, NOTICE OF INTENT TO IMPOSE FINE AND**
12 **NOTICE OF RIGHT TO REQUEST HEARING**

13 The licensing and regulation of mortgage brokers and mortgage agents in the State of
14 Nevada is governed by Chapter 645B of the Nevada Revised Statutes (hereinafter, "NRS")
15 and Chapter 645B of the Nevada Administrative Code (hereinafter, "NAC"). The State of
16 Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter, the
17 "DIVISION") has the general duty to exercise supervision and control over mortgage brokers
18 and mortgage agents, as well as mortgage brokering activity. See, NRS 645B.060(1), NRS
19 645B.690 (1)(a) and NRS 645B.670. Pursuant to that authority, the DIVISION makes the
20 following Findings of Fact, Conclusions of Law, and Order as follows:

21 **FACTUAL ALLEGATIONS**

- 22 1. On May 26, 2004, Dulce Salinas (hereinafter "RESPONDENT") was issued a
23 mortgage agent license pursuant to Chapter 645B of the NRS.
24 2. On May 13, 2008, RESPONDENT'S mortgage agent license reverted to an in-
25 active status when her broker, Alpine Home Loans, closed its office.
26 3. On July 28, 2008, the DIVISION received a Complaint alleging RESPONDENT
27 originated a refinance mortgage loan in Nevada (Garcia) without either being licensed as
28 either a mortgage agent or mortgage broker in Nevada.

1 4. After receiving the Complaint regarding RESPONDENT, the DIVISION
2 commenced an investigation, the results of which established RESPONDENT originated the
3 refinance loan, ran a credit report and ordered an appraisal of the complainant's property in the
4 State of Nevada, despite not being licensed as a mortgage broker or agent.

5 5. Thereafter, on October 27, 2008, RESPONDENT became employed by, or
6 associated with, South Wind Financial, Inc., as a mortgage agent.

7 6. Pursuant to NRS 645B.0125, a "mortgage agent" is defined, in part, as "...a
8 natural person who... is an employee or independent contractor of a mortgage broker who is
9 required to be licensed pursuant to this chapter..." and "...is authorized by the mortgage broker
10 to engage in, on behalf of the mortgage broker, any activity that would require the person, if he
11 were not an employee or independent contractor of the mortgage broker, to be licensed as a
12 mortgage broker pursuant to this chapter..." See, NRS 645B.0125 (1)(a)(b).

13 7. Pursuant to NRS 645B.400, "(a) person shall not act as or provide any of the
14 services of a mortgage agent or otherwise engage in, carry on or hold himself out as
15 engaging in or carrying on the activities of a mortgage agent unless the person has a license
16 as a mortgage agent issued pursuant to NRS 645B.410." See, NRS 645B.400.

17 8. Pursuant to NRS 645B.900, unless a person is exempt from Chapter 645B of
18 NRS and complies with exemption requirements, "(i)t is unlawful for any person to offer or
19 provide any of the services of a mortgage broker or mortgage agent or otherwise to engage
20 in, carry on or hold himself out as engaging in or carrying on the business of a mortgage
21 broker or mortgage agent without first obtaining the applicable license issued pursuant to this
22 chapter...." See, NRS 645B.900.

23 9. Pursuant to NRS 645B.060, the Division is charged with conducting "...such
24 investigations as may be necessary to determine whether any person has violated any
25 provision of this chapter, a regulation adopted pursuant to this chapter or an order of the
26 Commissioner...." See, NRS 645B.060(2)(c).

1 a. To revoke RESPONDENT'S mortgage agent license for RESPONDENT'S
2 violations of NRS 645B.400 and NRS 645B.900;

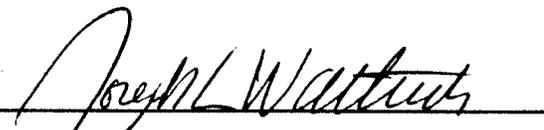
3 b. The imposition of an administrative fine against RESPONDENT in the amount
4 of Five Hundred Fifty Dollars and No Cents (\$550.00) for RESPONDENT'S violations of NRS
5 Chapter 645B, as well as the Division's administrative costs of Four Hundred Fifty Dollars and
6 No Cents (\$450.00) and attorney's fees, if any, incurred herein, to be proven at the hearing; and

7 c. RESPONDENT'S payment, in full, of the administrative fine, costs and fees to
8 the Division within **thirty (30) days** of entry of the Final Order.

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10 Should Respondent not request a hearing within **twenty (20) days** of the date of this
11 Order, the Division will enter a Final Order in this matter against RESPONDENT, as required by
12 NRS 645B.750(2).

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14 DATED this 17th day of February, 2009.

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17 STATE OF NEVADA
18 DEPARTMENT OF BUSINESS AND INDUSTRY
19 DIVISION OF MORTGAGE LENDING

20 By: 
21 JOSEPH L. WALTUCH, COMMISSIONER
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1 **CERTIFICATE OF SERVICE**

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3 I HEREBY CERTIFY that on the 17th day of February 2009

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5 I served the foregoing subpoena upon Dulce Salinas at The State of Nevada Division of Mortgage
6 Lending, Las Vegas, Nevada by:

7 1. Personally delivering a copy to the above-named person at the following address: 7220
8 Bermuda Road, Suite A, Las Vegas, Nevada 89119.

9
10 Tony Frascarelli
11 **Person Making Service**

12 **SUBSCRIBED AND SWORN to me**

13 **this 17th day of February, 2008.**

14
15 Andrea J. Golyer
16 **NOTARY PUBLIC in and for**
The County of Clark, State of Nevada

