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

In re:

Felipe J. Urbina dba Conceptos Home
Retention Team,

Respondent.

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**ORDER TO CEASE AND DESIST, NOTICE OF INTENT
TO IMPOSE FINE AND REQUIRE RESTITUTION, AND
NOTICE OF RIGHT TO REQUEST HEARING**

12 The licensing and regulation of loan modification consultants, foreclosure consultants
13 and other persons providing 'covered services' as defined in Nevada Revised Statutes
14 ("NRS") 645F.310 in the State of Nevada is governed by Chapter 645F of NRS, as amended
15 by Assembly Bill 152 of the 75th (2009) Legislative Session, and is also governed by the
16 permanent regulation R052-09 promulgated pursuant thereto which was adopted on August
17 25, 2009 ("the Regulation"). Effective July 1, 2009, the State of Nevada, Department of
18 Business and Industry, Division of Mortgage Lending ("the Division") has the general duty to
19 exercise supervision and control over covered service providers, foreclosure consultants and
20 loan modification consultants. See, Chapter 645F of NRS, as amended by Assembly Bill 152
21 and see the Regulation. Pursuant to that authority, the Division makes the following Factual
22 Allegations, Violations of Law, and Order, as follows:

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FACTUAL ALLEGATIONS

25 1. Based upon information and belief, Respondent, Felipe J. Urbina dba Conceptos
26 Home Retention Team ("Respondent") is an individual who, at all relevant times herein
27 mentioned, conducted and continues to conduct loan modification, foreclosure consultant or
28 other 'covered services' out of an office located at 5130 E. Charleston Boulevard, Suite 8, Las

1 Vegas, Nevada 89142.

2 2. Respondent has never applied for, or been issued, a license by the Division as a
3 covered service provider, foreclosure consultant or loan modification consultant, whether as
4 an independent consultant or as an associated licensee, pursuant to Chapter 645F of NRS
5 and the Regulation.

6 3. Based upon information and belief, at all relevant times herein mentioned,
7 Complainant MC was the owner of certain home and real property located at 5801 Half Moon
8 Way, Las Vegas, Nevada 89108.

9 4. On approximately September 21, 2009, the Division received a written complaint
10 from Complainant MC ("the Complaint") concerning Respondent alleging, among other things,
11 that:

12 a. From approximately April 4, 2009, to approximately August 7, 2009,
13 Respondent offered to provide, or provided, for compensation, services to obtain a mortgage
14 loan modification for Complainant MC and/or prevent Complainant MC's real property from
15 going to foreclosure or to provide other covered services for Complainant MC as defined in
16 NRS 645F.310;

17 b. On or about April 4, 2009, Respondent accepted Four Hundred Dollars and
18 No Cents (\$400.00) from Complainant MC to obtain a mortgage loan modification; and

19 c. After representing Complainant MC from April 2009 through August 7, 2009,
20 approximately five (5) months, Complainant MC's mortgage loan has not been modified.

21 5. Pursuant to the Regulation, "(i)t is unlawful for any person to provide or offer to
22 provide any of the services of a covered service provider, foreclosure consultant or loan
23 modification consultant or otherwise to engage in, carry on or hold himself out as engaging in
24 or carrying on the business of a covered service provider, foreclosure consultant or loan
25 modification consultant without first obtaining the applicable license issued pursuant to this
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1 chapter and chapter 645F of NRS, unless the person...(i)s exempt from the provisions of this
2 chapter and chapter 645F of NRS; and...(c)omplies with the requirements for that
3 exemption....” See, Section 102 of the Regulation.

4 6. Pursuant to the Regulation, “(w)hether or not a complaint has been filed, the
5 Commissioner may investigate a licensee or other person if, for any reason, it appears
6 that...(t)he licensee or other person is offering or providing any of the services of a covered
7 service provider, foreclosure consultant or loan modification consultant or otherwise engaging
8 in, carrying on or holding himself out as engaging in or carrying on the business of a covered
9 service provider, foreclosure consultant or loan modification consultant without being
10 appropriately licensed or exempt from licensing pursuant to the provisions of this chapter or
11 chapter 645F of NRS....” See, Section 105(1)(b) of the Regulation.

13 7. Pursuant to the Regulation, “(a) person shall not advertise services as, provide any
14 of the services of, act as or conduct business as a covered service provider, foreclosure
15 consultant or loan modification consultant or otherwise engage in, carry on or hold himself out
16 as engaging in or carrying on the activities of a covered service provider, foreclosure
17 consultant or loan modification consultant unless the person has a license as a covered
18 service provider, foreclosure consultant or loan modification consultant, as applicable, issued
19 pursuant to this chapter and chapter 645F of NRS.” See, Section 17 of the Regulation.

21 8. After receiving the Complaint regarding Respondent, the Division conducted an
22 investigation of the allegations in question. This investigation revealed, among other things,
23 that:

24 a. Respondent has never applied for and/or been issued a license by the
25 Division to conduct loan modification or foreclosure consultant activities or otherwise provide
26 ‘covered services’ as defined in NRS 645F.310;

27 b. Respondent accepted Four Hundred Dollars and No Cents (\$400.00) from
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1 Complainant MC to obtain a mortgage loan modification on or about April 4, 2009;

2 c. Respondent commenced the loan modification process in April 2009 and
3 continued to represent Complainant MC through August 7, 2009, by assisting Complainant
4 MC in filling out documents (including the hardship affidavit and IRS Form 4506T) to send to
5 the bank, mailing correspondence requested by the lender, sending e-mails and faxes and
6 making phone calls on Complainant MC's behalf; and

7 d. After approximately five (5) months, Complainant MC's mortgage loan has
8 not been modified.

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10 9. Pursuant to the Regulation, "(f)or each violation committed by a person who
11 engages in an activity for which licensure as a covered service provider, foreclosure
12 consultant or loan modification consultant is required under this chapter and chapter 645F of
13 NRS, without regard to whether the person is licensed under this chapter and chapter 645F of
14 NRS, the Commissioner may impose upon the person an administrative fine of not more than
15 \$10,000...." See, Section 103(3) of the Regulation.

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17 10. Pursuant to the Regulation, "(a) person who engages in an activity for which
18 licensure as a covered service provider, foreclosure consultant or loan modification consultant
19 is required under this chapter and chapter 645F of NRS, without regard to whether the person
20 is licensed under this chapter and chapter 645F of NRS, may be required by the
21 Commissioner to pay restitution to any person who has suffered an economic loss as a result
22 of a violation of the provisions of this chapter or chapter 645F of NRS or an order of a court of
23 competent jurisdiction...." See, Section 103(2) of the Regulation.

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25 11. Pursuant to the Regulation, "(i)f a person engages in an activity in violation of the
26 provisions of this chapter or chapter 645F of NRS or an order of the Commissioner, the
27 Commissioner may issue an order directing the person to cease and desist from engaging in
28 the activity. See, Section 108(1) of the Regulation.

VIOLATIONS OF LAW

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2 After investigating this matter, it has been determined that at all relevant times herein
3 mentioned, Respondent:

4 a. Offered or provided, and continues to offer or provide, services of a covered
5 services provider, foreclosure consultant or loan modification consultant or otherwise
6 engaged in, carried on or held himself out, and continues to engage in, carry on or hold
7 himself out, as engaging in or carrying on the business of a covered services provider,
8 foreclosure consultant or loan modification consultant without having applied for and/or been
9 issued a license by the Division and without being exempt from licensing pursuant to the
10 provisions of Chapter 645F of NRS or the Regulation, in violation of Chapter 645F of NRS
11 and Sections 17 and 105(1)(b) of the Regulation;

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13 b. Accepted Four Hundred Dollars and No Cents (\$400.00) from Complainant MC to
14 obtain a mortgage loan modification on or about April 4, 2009; and

15 c. Commenced the loan modification process in April 2009 and continued to represent
16 Complainant MC in the loan modification process through August 7, 2009, by assisting
17 Complainant MC in filling out documents (including the hardship affidavit and IRS Form
18 4506T) to send to the bank, mailing correspondence requested by the lender, sending e-mails
19 and faxes and making phone calls on Complainant MC's behalf.
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21 Further, it has been determined that after approximately five (5) months, Complainant
22 MC's mortgage loan has not been modified.

ORDER

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24 **NOW, THEREFORE, THE COMMISSIONER OF THE DIVISION HEREBY ORDERS,**
25 pursuant to Chapter 645F of NRS and Section 108(1) of the Regulation, after having
26 determined that Respondent offered or provided, and continues to offer or provide, services
27 of a covered services provider, foreclosure consultant or loan modification consultant or
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1 otherwise engaged in, carried on or held himself out, and continues to engage in, carry on or
2 hold himself out, as engaging in or carrying on the business of a covered services provider,
3 foreclosure consultant or loan modification consultant without having applied for and/or been
4 issued a license by the Division and without being exempt from licensing, in violation of
5 Chapter 645F of NRS and the Regulation, that **RESPONDENT IMMEDIATELY CEASE AND**
6 **DESIST** from the following activities:

7 1. Advertising for and/or soliciting covered services, foreclosure consultant and/or loan
8 modification consultant business in the State of Nevada without having first received the
9 written authorization of and/or a license from the Division to conduct activities; and
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11 2. Offering or providing any of the services of a covered service provider, foreclosure
12 consultant and/or loan modification consultant, or otherwise engaging in, carrying on or
13 holding himself out as engaging in or carrying on the business of a covered service provider,
14 foreclosure consultant and/or loan modification consultant in the State of Nevada for which he
15 has not received the written authorization of and/or a license from the Division to conduct
16 activities.

17 **IT IS FURTHER ORDERED**, pursuant to Chapter 645F of NRS and Section 108(4) of
18 the Regulation, that upon filing a verified petition with the Division within **twenty (20) days** of
19 receipt of this Order to Cease and Desist, Respondent shall be entitled to a hearing with
20 regard to the contents of this Order to Cease and Desist. Respondent is advised, however,
21 that the provisions of this Order to Cease and Desist are effective immediately upon
22 Respondent being served therewith, whether or not Respondent requests a hearing.
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24 **NOTICE TO RESPONDENT:** If you request a hearing, you are specifically informed
25 that you have the right to appear and be heard in your defense, either personally or through
26 your counsel of choice at your own expense. At the hearing, if one is timely requested, the
27 Division will call witnesses and present evidence against you. You have the right to respond
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1 and to present relevant evidence and argument on all issues involved. You have the right to
2 call and examine witnesses, introduce exhibits and cross-examine opposing witnesses on any
3 matter relevant to the issues involved.

4 **IT IS FURTHER ORDERED**, pursuant to Chapter 645F of NRS and Section 113(2) of
5 the Regulation, that upon written application to the Division within **twenty (20) days** of the
6 date of this Order, Respondent shall be entitled to a hearing with regards to the contents of
7 this Order referenced hereafter. At that hearing the Division will seek to impose an
8 administrative fine against Respondent in the amount of Two Thousand Five Hundred Dollars
9 and No Cents (\$2,500.00), payable to the Division on account of Respondent's violations of
10 Chapter 645F of NRS and the Regulation, the Division's investigative costs in the amount of
11 Four Hundred Thirty-Eight Dollars and No Cents (\$438.00) as well as the Division's attorney's
12 fees, if any, incurred herein, each to be proven at the hearing. The Division will also seek to
13 require Respondent's payment of Four Hundred Dollars and No Cents ("the Restitution
14 Amount") to Complainant MC.
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17 Should Respondent not timely request a hearing within **twenty (20) days** of the date of
18 this Order, the Division will enter a Final Order in this matter against Respondent, as required
19 by Section 113(2) of the Regulation. The Division's Final Order will require payment by
20 Respondent of the administrative fine, the Division's investigative costs, the Division's
21 attorney's fees and the Restitution Amount to Complainant MC within **thirty (30) days** of the
22 entry of the Final Order.

23 Dated this 13th day of January, 2010.

24 State of Nevada
25 Department of Business and Industry
26 Division of Mortgage Lending

27 By: Joseph L. Waltuch
28 Joseph L. Waltuch, Commissioner

CERTIFICATE OF SERVICE

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3 **I certify that I am an employee of the State of Nevada, Department of Business and Industry,**
4 **Division of Mortgage Lending, and that on , January 13, 2010, I deposited in the U.S. mail,**
5 **postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and correct**
6 **copy of the foregoing. ORDER TO CEASE AND DESIST, NOTICE OF INTENT TO IMPOSE**
7 **FINE AND RESTITUTION, AND NOTICE OF RIGHT TO REQUEST HEARING for FELIPE**
8 **J. URBINA dba CONCEPTOS HOME RETENTION TEAM addressed as follows:**
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12 **Felipe J. Urbina**
13 **Conceptos Home Retention Team**
14 **5130 E. Charleston Blvd, Ste. B**
15 **Las Vegas, NV 89142**

16 **Certified Receipt Number: 7008 1830 0002 7959 5482**

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19 **DATED this 13th day of January, 2010**

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21 **By:** 
22 **Employee of the Division**
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