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

* * *

In re:
Greenberry Financial Services, Inc.,
formerly dba Franklin Financial,
Respondent.

FINAL ORDER

The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter, the "Division"), having served the Respondent, Greenberry Financial Services, Inc, (hereinafter, "Respondent") on February 12, 2010, with its Notice of Intent to Impose Fine and Notice of Right to Request Hearing, attached hereto as Exhibit "1" and incorporated herein by reference, which notified Respondent that a final order would issue in this matter unless, within twenty (20) days of entry and receipt of said Order, Respondent requested a hearing to contest the charges against it, with said request to be made in writing, and;

Said Order having been sent to Respondent via certified mail and regular mail, and received by Respondent on February 18, 2010, and;

Respondent having failed to request a hearing in this matter, and good cause appearing:

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1 NOW, THEREFORE, **IT IS HEREBY ORDERED** that, pursuant to NRS 645E.750,
2 Respondent will be subject to the administrative fines, fees and/or costs as set forth in the
3 original Order attached hereto as Exhibit "1".

4 **IT IS FURTHER ORDERED** that the sum of said administrative fines, fees and/or costs
5 be paid in full within **thirty (30) days** of entry of the Order;

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7 Dated this 10th day of March, 2010.
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11 State of Nevada
12 Department of Business and Industry
13 Division of Mortgage Lending

14 By: Joseph L. Waltuch
15 Joseph L. Waltuch, Commissioner
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EXHIBIT “1”

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

In re:

Greenberry Financial Services, Inc.,
formerly doing business as Franklin
Financial,

Respondent.

**NOTICE OF INTENT TO IMPOSE
FINE AND NOTICE OF RIGHT TO
REQUEST HEARING**

9 The licensing and regulation of mortgage brokers, mortgage bankers and escrow
10 agencies in the State of Nevada is governed by Chapter 645B, Chapter 645E and Chapter
11 645A of the Nevada Revised Statutes ("NRS"), respectively, and the regulations promulgated
12 thereunder. The State of Nevada, Department of Business and Industry, Division of Mortgage
13 Lending (hereinafter the "Division") has the general duty to exercise supervision and control
14 over mortgage brokers, mortgage bankers and escrow agencies pursuant to these chapters.
15 Pursuant to that authority, the Division makes the following Factual Allegations, Violations of
16 Law, and Order, as follows:
17

18 **FACTUAL ALLEGATIONS**

- 19 1. Christopher E. Hobson, Inc. (hereinafter "Hobson") is a California corporation.
- 20 2. Hobson conducted mortgage banker activity in the State of Nevada as a
21 Category 6 exempt entity from approximately June 14, 2000 to June 11, 2004 under the name
22 of Franklin Financial (hereinafter "Franklin Financial").
- 23 3. On June 11, 2004, Franklin Financial was issued a mortgage banker license by
24 the Division pursuant to NRS Chapter 645E.
- 25 4. Based upon information and belief, on approximately September 16, 2009,
26 Franklin Financial changed its name to Greenberry Financial Services, Inc., but continued to
27 conduct business under the name Franklin Financial.
28

1 5. Based upon information and belief, from June 11, 2004 to date, Franklin
2 Financial (hereinafter "Respondent") conducted and continues to conduct licensed mortgage
3 banker activity in the State of Nevada out of its licensed offices at 5836 S. Pecos Road, Suite
4 303, Las Vegas, Nevada 89120 (hereinafter "Las Vegas Principal Office") and 999 Corporate
5 Drive, Suite 110, Ladera Ranch, California 92694 (hereinafter "Ladera Ranch Branch Office").

6 6. Pursuant to NRS 645E.300, with limited exception, the Division is charged with
7 conducting "an annual examination of each mortgage banker doing business in this State...."
8 See, NRS 645E.300(2)(d).

9 7. During an annual examination of Respondent's books and records which
10 commenced on August 31, 2009, the Division discovered that, at all relevant times herein
11 mentioned, Respondent conducted mortgage banker activity related to loans on properties in
12 Nevada, including preparing three Uniform Residential Loan Applications ("1003s"), a Good
13 Faith Estimate and a Truth-in-Lending Disclosure Statement, as Franklin Financial out of an
14 office at 26060 Acero Street, Mission Viejo, California 92691 (hereinafter "Mission Viejo
15 Office").
16

17 8. Pursuant to NRS 645E.200, "[if] a mortgage banker will conduct business in this
18 State at one or more branch offices, the mortgage banker must apply for a license for each
19 such branch office." See, NRS 645E.200(2).

20 9. Pursuant to NRS 645E.900, "[it] is unlawful for any person to offer or provide any
21 of the services of a mortgage banker or...otherwise to engage in, carry on or hold himself out
22 as engaging in or carrying on the business of a mortgage banker...without first obtaining a
23 license as a mortgage banker pursuant to this chapter..." unless the person is exempt from
24 NRS Chapter 645E and complies with the requirements for that exemption.
25

26 10. Respondent's Mission Viejo Office has never been licensed by the Division
27 pursuant to NRS Chapter 645E and is not exempt from licensure.
28

Should Respondent request a hearing, Respondent is advised of the following:

a) Respondent is entitled to be represented by legal counsel at its own cost and expense; b) At any hearing Respondent shall be entitled to respond and to present evidence and argument on all issues involved; c) Requests may be made to the Commissioner for the issuance of subpoenas; however, the Commissioner may request the proposed testimony of any such person prior to the issuance of the subpoena; and d) Unless precluded by law, the parties may agree to an informal resolution or settlement prior to any hearing.

Should Respondent not request a hearing within **twenty (20) days** of the date of this Order, the Division will enter a Final Order in this matter against Respondent, as otherwise required by law.

Dated this 12th day of February, 2010.

State of Nevada
Department of Business and Industry
Division of Mortgage Lending

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