STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF MORTGAGE LENDING

* * *

In re:

Las Vegas Paralegal Services and Maria D. Davila

Respondents.

FINAL ORDER

The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter, the "Division"), having served Las Vegas Paralegal Services and Maria D. Davila (hereinafter, "Respondents") on April 19, 2010, with its Order to Cease and Desist, Notice of Intent to Order to Pay Restitution, 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 Respondents that a final order would issue in this matter unless, within twenty (20) days of entry and receipt of said Order, Respondents requested a hearing to contest the charges against it, with said request to be made in writing, and;

Said Order having been sent to Respondents via certified mail and regular mail on April 20, 2010, and;

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

////

////

NOW, THEREFORE, **IT IS HEREBY ORDERED** that, pursuant to NRS 622.080 and NRS Chapter 645F and by permanent regulation R052-09 promulgated pursuant thereto, Respondents shall immediately **CEASE AND DESIST** soliciting for and conducting any and all covered service provider, foreclosure consultant and/or loan modification activity in the State of Nevada. In addition, Respondents will be subject to the administrative fines, fees and/or costs and restitution amounts as set forth in the original Order attached hereto as Exhibit "1".

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

Dated this 12th day of May, 2010.

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

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

EXHIBIT "1"

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

In re:

Las Vegas Paralegal Services and
Maria D. Davila,

Respondents.

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

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

FACTUAL ALLEGATIONS

Based upon information and belief, and at all relevant times mentioned herein:

1. Las Vegas Paralegal Services ("Paralegal Services") is a business entity of unknown organization with an office located at 4160 S. Pecos Road, Suite 19, Las Vegas, Nevada 89121.

2. Maria D. Davila ("Davila") is an individual who acted and continues to act as an

agent or person employed by, or associated with, Paralegal Services as a paralegal.

3. Neither Paralegal Services nor Davila has ever applied for, or been issued, a license by the Division as a covered service provider, foreclosure consultant or loan modification consultant, whether as an independent licensee or as an associated licensee, pursuant to Chapter 645F of NRS and the Regulation. (Paralegal Services and Davila may also hereinafter be called "Respondent" or "Respondents" as the context requires.)

4. Based upon information and belief, at all relevant times herein mentioned:

a. Complainant MH was the owner of certain real property located at 3681 San Carlos Avenue, Las Vegas, Nevada 89115;

b. Complainant FLV was the owner of certain real property located at 4404 Hanford Avenue, Las Vegas, Nevada 89107;

c. Complainant MDV was the owner of certain real property located at 2101 Sleepy Court, Las Vegas, Nevada 89106;

d. Complainant RV was the owner of certain real property located at 1716 Otto Merida Avenue, Las Vegas, Nevada 89106;

e. Complainant RM was the owner of certain real property located at 2604 Lidia Drive, North Las Vegas, Nevada 89032; and

f. Complainant SARE was the owner of certain real property located at 3534 Gold Mist Avenue, Las Vegas, Nevada 89115.

5. On approximately September 11, 2009, the Division received a written complaint from Complainant MH alleging, among other things, that from approximately December 18, 2008 to September 28, 2009, Paralegal Services and/or Davila offered to provide, or provided, for compensation, services to obtain a mortgage loan modification for Complainant MH and/or prevent Complainant MH's real property from going to foreclosure, or to provide other covered services, as defined in NRS 645F.310, for Complainant MH.

6. On approximately September 17, 2009, the Division received written complaints from Complainants FLV, MDV and RV, respectively, each alleging, among other things, that Respondents offered to provide, or provided, for compensation, services to obtain a mortgage loan modification for Complainants FLV, MDV and RV, respectively, and/or prevent Complainants FLV's, MDV's and RV's respective real property from going to foreclosure, or to provide other covered services, as defined in NRS 645F.310, for Complainants FLV, MDV and RV.

7. In the written complaints referenced in paragraph 6 above, Complainants FLV, MDV and RV each alleged that Respondents "did nothing;" their respective homes went to foreclosure; and Complainants FLV's, MDV's and RV's respective banks said that " [Davila] never made contact" with them.

8. On approximately December 22, 2009 and December 23, 2009, the Division received written complaints from Complainants RM and SARE, respectively, alleging, among other things, that Respondents offered to provide, or provided, for compensation, services to obtain a mortgage loan modification for Complainants RM and SARE, respectively, and/or prevent Complainants RM's and SARE's respective real property from going to foreclosure, or to provide other covered services, as defined in NRS 645F.310, for Complainants RM and SARE.

9. Pursuant to the Regulation, "[w]hether or not a complaint has been filed, the Commissioner may investigate a licensee or other person if, for any reason, it appears that...[t]he licensee or other person is offering or providing any of the services of a covered services provider, foreclosure consultant or loan modification consultant or otherwise engaging in, carrying on or holding himself out as engaging in or carrying on the business of a covered services provider, foreclosure consultant or loan modification consultant without being appropriately licensed or exempt from licensing pursuant to the provisions of this

chapter or chapter 645F of NRS...." *See*, Section 105(1)(b) of the Regulation.

10. Pursuant to NRS 645F.310, "covered service" includes, without limitation: 1. Financial counseling, including, without limitation, debt counseling and budget counseling; 2. Receiving money for the purpose of distributing it to creditors in payment or partial payment of any obligation secured by a mortgage or other lien on a residence in foreclosure; 3. Contacting a creditor on behalf of a homeowner; 4. Arranging or attempting to arrange for an extension of the period within which a homeowner may cure a default and reinstate an obligation pursuant to a note, mortgage or deed of trust; 5. Arranging or attempting to arrange for any delay or postponement of the time of a foreclosure sale; 6. Advising the filing of any document or assisting in any manner in the preparation of any document for filing with a bankruptcy court; and 7. Giving any advice, explanation or instruction to a homeowner which in any manner relates to the cure of a default in or the reinstatement of an obligation secured by a mortgage or other lien on the residence in foreclosure, the full satisfaction of the obligation, or the postponement or avoidance of a foreclosure sale.

11. Pursuant to the Regulation, "[a] person shall not advertise services as, provide any of the services of, act as or conduct business as a covered service provider, foreclosure consultant or loan modification consultant or otherwise engage in, carry on or hold himself out as engaging in or carrying on the activities of a covered service provider, foreclosure consultant or loan modification consultant unless the person has a license as a covered service provider, foreclosure consultant or loan modification consultant, as applicable, issued pursuant to this chapter and chapter 645F of NRS." *See*, Section 17 of the Regulation.

12. After receiving the written complaints of Complainants MH, FLV, MDV, RV, RM and SARE (collectively "the Complaints") regarding Respondents, the Division conducted an investigation which revealed, among other things, that neither Respondent has ever applied for and/or been issued a license by the Division to conduct loan modification or foreclosure

consultant activities or otherwise provide 'covered services' as defined in NRS 645F.310.

13. As part of its investigation of the allegations in question, the Division served a Subpoena Duces Tecum dated October 13, 2009 upon Respondents, a true and correct copy of which is attached hereto as **Exhibit "A"** and incorporated herein by reference as though set forth in full. To date, Respondents, and each of them, have failed and refused to comply with the subpoena.

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

15. Pursuant to the Regulation, "[a] person who engages in an activity for which licensure as a covered service provider, foreclosure consultant or loan modification consultant is required under this chapter and chapter 645F of NRS, without regard to whether the person is licensed under this chapter and chapter 645F of NRS, may be required by the Commissioner to pay restitution to any person who has suffered an economic loss as a result of a violation of the provisions of this chapter or chapter 645F of NRS...." *See*, Section 103(2) of the Regulation.

16. Pursuant to the Regulation, "[i]n the conduct of any...investigation...the Commissioner may...compel the attendance of any person by subpoena...compel any person to produce records related to the activity of a licensee...compel the production of any document by subpoena...require the production of any books, records or papers relevant to the inquiry...." *See*, Sec. 71(1)(a), (b), (c), (e) of the Regulation.

17. Pursuant to NRS 645F.291, "[a]ny person subpoenaed under the provisions of this

section who willfully refuses or willfully neglects to appear at the time and place named in the subpoena or to produce books, records or papers required by the Commissioner, or who refuses to be sworn or answer as a witness, is guilty of a misdemeanor." *See* 645F.291(2).

18. Pursuant to the Regulation, "[i]f a person engages in an activity in violation of the provisions of this chapter or chapter 645F of NRS or an order of the Commissioner, the Commissioner may issue an order directing the person to cease and desist from engaging in the activity." *See* Sec. 108(1) of the Regulation.

VIOLATIONS OF LAW

After investigating this matter, it has been determined that at all relevant times mentioned herein, Respondents, and each of them:

a. Offered or provided services of a covered services provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held themselves out as engaging in or carrying on the business of a covered services provider, foreclosure consultant or loan modification consultant without having applied for and/or been issued a license by the Division and without being exempt from licensing pursuant to the provisions of Chapter 645F of NRS or the Regulation, in violation of Chapter 645F of NRS and Sec. 17, 103(3)(c) and 105(1)(b) of the Regulation; and

b. To date, failed and refused to comply with the Subpoena Duces Tecum **(Exhibit "A")**, in violation of Sec. 71(1)(a), (b), (c), (e) and 103(3)(i) of the Regulation.

ORDER

NOW, THEREFORE, THE COMMISSIONER OF THE DIVISION HEREBY ORDERS, pursuant to Chapter 645F of NRS and Section 108(1) of the Regulation, after having determined that Respondents offered or provided services of a covered service provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held themselves out as engaging in or carrying on the business of a covered service provider,

foreclosure consultant or loan modification consultant without having applied for and/or been issued a license by the Division and without being exempt from licensing, in violation of Chapter 645F of NRS and the Regulation, that **RESPONDENTS, AND EACH OF THEM, IMMEDIATELY CEASE AND DESIST** from the following activities:

1. Advertising for and/or soliciting covered services, foreclosure consultant and/or loan modification consultant business in the State of Nevada without having first received the written authorization of and/or a license from the Division to conduct such activities; and

2. Offering or providing any of the services of a covered service provider, foreclosure consultant and/or loan modification consultant, or otherwise engaging in, carrying on or holding themselves out as engaging in or carrying on the business of a covered service provider, foreclosure consultant and/or loan modification consultant in the State of Nevada for which they have not received the written authorization of and/or a license from the Division to conduct such activities.

IT IS FURTHER ORDERED, pursuant to Chapter 645F of NRS and Section 108(4) of the Regulation, that upon filing a verified petition with the Division within **twenty (20) days** of receipt of this Order to Cease and Desist, each Respondent shall be entitled to a hearing with regard to the contents of this Order to Cease and Desist. Each Respondent is advised, however, that the provisions of this Order to Cease and Desist are effective immediately upon such Respondent being served therewith, whether or not such Respondent requests a hearing.

NOTICE TO RESPONDENTS, and each of them: If you request a hearing, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through your counsel of choice at your own expense. At the hearing, if one is timely requested, the Division will call witnesses and present evidence against you. You have the right to respond and to present relevant evidence and argument on all issues involved.

You have the right to call and examine witnesses, introduce exhibits and cross-examine opposing witnesses on any matter relevant to the issues involved.

IT IS FURTHER ORDERED, pursuant to Chapter 645F of NRS and Section 113(2) of the Regulation that upon written application to the Division within **twenty (20) days** of the date of this Order, Respondents, and each of them, shall be entitled to a hearing with regards to the contents of this Order referenced hereafter. At that hearing the Division will seek to impose an administrative fine against each Respondent in the amount of Ten Thousand Dollars and No Cents ($10,000.00), payable to the Division on account of each Respondent's violations of Chapter 645F of NRS and the Regulation, the Division's investigative costs in the amount of Five Hundred Forty Dollars and No Cents ($540.00) as well as the Division's attorney's fees, if any, incurred herein, to be proven at the hearing.

IT IS FURTHER ORDERED, pursuant to Chapter 645F of NRS and Section 103(2) of the Regulation, that Respondents immediately cancel all existing contracts, if any, with homeowners and refund all moneys to all homeowners from whom Respondents have collected moneys in violation of NRS 645F and the Regulation ("Restitution Amounts"), including, but not limited to, refunding Four Hundred Dollars and No Cents ($400.00) to Complainant MH, Five Hundred Dollars and No Cents ($500.00) to Complainant RM and Five Hundred Dollars and No Cents ($500.00) to Complainant SARE. Should either Respondent not timely request a hearing within **twenty (20) days** of the date of this Order, the Division will enter a Final Order in this matter against such Respondent, as required by Section 113(2) of the Regulation. The Division's Final Order will require payment by such Respondent of the administrative fines, the Division's investigative costs and the Division's attorney's fees within **thirty (30) days** of the entry of the Final Order, along with payment by such Respondent of the Restitution Amounts immediately upon entry of the Final Order.

Any such Final Order will make Respondents jointly and severally liable for total payment of the administrative fines, the Division's investigative costs, the Division's attorney's fees and the Restitution Amounts.

Dated this 19th day of April, 2010.

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

By: _____
Joseph L. Waltuch, Commissioner

EXHIBIT "A"

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

In Re: Las Vegas Paralegal Services, Respondent.	**SUBPOENA DUCES TECUM** (INVESTIGATIVE)

THE STATE OF NEVADA SENDS GREETING TO:

Maria Davila
Las Vegas Paralegal Services
4160 S Pecos Road Suite 19
Las Vegas, NV 89121

YOU ARE HEREBY COMMANDED, pursuant to R052-09, NRS 645F to appear and attend before the Commissioner of the Division of Mortgage Lending, at 10:00 a.m., November 4, 2009, at 7220 Bermuda Road Suite A, Las Vegas, Nevada 89119, and provide testimony regarding the above-referenced case.

YOU ARE FURTHER COMMANDED to bring with you at the time of your appearance;

1. Name, current address and current telephone number of each owner, officer, director, employee, and agent of Las Vegas Paralegal Services;
2. Name, current or last known address and current or last known telephone number of each consumer who had or has signed a contract for services with Las Vegas Paralegal Services since July 1, 2008.
   Identify those consumers listed in item #2 who have received approval for alternative payment options;
3. Complete accounting/list of payments received by Las Vegas Paralegal Services, including dates received and method of payment, from each consumer who has or had signed a contract of services or has otherwise paid Las Vegas Paralegal Services, any moneys;
4. A copy of every power of attorney or other authorization signed by consumers which authorize Las Vegas Paralegal Services to serve as agent or representative of any such consumer;

5. A copy of each business license and tax permit filed with, and issued by, the State of Nevada or any political subdivision thereof.
6. A copy of all contracts for service with consumers, and a copy of each loan forbearance or modification agreement, repayment plan or other workout arrangement with lenders, negotiated by Las Vegas Paralegal Services on behalf of consumers since commencement of operations, along with the name, current or last known address and current or last known telephone number of the person or persons who drafted each such document.

NO APPEARANCE IS NECESSARY if all documentation requested above is received at 7220 Bermuda Road, Suite A, Las Vegas, Nevada 89119 on or before October 29, 2009, on or before 10:00 a.m.

IF YOU FAIL TO COMPLY with this Subpoena Duces Tecum, you may be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear and in addition forfeit One Hundred Dollars ($100.00).

Dated this 13th day of October, 2009.

By: Nancy Corbin

Nancy Corbin
Deputy Commissioner
Department of Business & Industry
Division of Mortgage Lending

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
)
COUNTY OF CLARK)

I HEREBY CERTIFY that on the 13th day of October 2009, I served the foregoing subpoena upon Louis Davila at 4160 S Pecos Rd. Ste. 19 Las Vegas, State of Nevada, by:

1. Personally delivering a copy to the above-named person to the following address: 4160 S. Pecos Rd Ste 19 LV NV 89121

2. Serving the above-named person by delivering and leaving a copy with _____ a person of suitable age and discretion, at the following address: _____

Denice K

Person Making Service

SUBSCRIBED AND SWORN to me this 15th day of October 2009.

Andrea J. Golyer

NOTARY PUBLIC in and for the County of Clark, State of Nevada

ANDREA J. GOLYER
Notary Public, State of Nevada
Appointment No. 98-3818-1
My Appt. Expires Aug. 30, 2010

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending, and that on , May 13, 2010, I deposited in the U.S. mail, postage prepaid via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing, FINAL ORDER for LAS VEGAS PARALEGAL SERVICES AND MARIA D. DAVILA, addressed as follows:

Maria D. Davila
Las Vegas Paralegal Services
3095 E. Patrick Lane, Suite 10
Las Vegas, NV 89120

Certified Receipt Number: 7006 2760 0000 0876 3824

DATED this 13th day of May, 2010

By: Susan Slack
Employee of the Division