STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF MORTGAGE LENDING

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In re:

Charmaine A. Hicks,

Respondent.

FINAL ORDER

The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter, the "Division"), having served the Respondent, Charmaine A. Hicks, (hereinafter, "Respondent") on June 16, 2010, with its Notice of Intent to Revoke Mortgage Agent License 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, on June 22, 2010, and;

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

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IT IS HEREBY ORDERED that, pursuant to NRS 645B.670 and NRS 645B.750, Respondent's mortgage agent license in the State of Nevada is **REVOKED**.

IT IS FURTHER ORDERED that, pursuant to NRS 645B.670, Respondent will be subject to the administrative fines, fees and/or costs 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 be paid in full within **thirty (30) days** of entry of the instant Order.

Dated this 7th day of July, 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:

Charmaine A. Hicks

Respondent.

NOTICE OF INTENT TO REVOKE MORTGAGE AGENT LICENSE AND NOTICE OF RIGHT TO REQUEST HEARING

The licensing and regulation of mortgage brokers and mortgage agents in the State of Nevada is governed by Chapter 645B of the Nevada Revised Statutes (hereinafter "NRS") and by Chapter 645B of the Nevada Administrative Code (hereinafter "NAC"). The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (hereinafter the "Division") has the general duty to exercise supervision and control over mortgage brokers and mortgage agents, as well as mortgage broker and mortgage agent activity. *See* NRS 645B.060(1), NRS 645B.670 and NRS 645B.690. Pursuant to that authority, the Division makes Factual Allegations, Violations of Law, and Order, as follows:

FACTUAL ALLEGATIONS

1. Charmaine A. Hicks (hereinafter "Respondent") is an individual.

2. On approximately August 25, 2000, the Financial Institutions Division, Department of Business and Industry, State of Nevada (hereinafter "FID") registered Respondent as a mortgage agent pursuant to Chapter 645B of NRS.

3. On approximately July 1, 2004, the Division commenced licensing and supervising mortgage brokers and mortgage agents pursuant to Chapter 645B of NRS.

4. On approximately May 10, 2004, Respondent was issued a mortgage agent

license (License No. 5361) pursuant to NRS Chapter 645B.

5. Respondent operated within the State of Nevada pursuant to the terms of her license until July 1, 2009, when Respondent's employer, Preferred Mortgage, terminated the employment of Respondent and her license status became "inactive."

6. On March 15, 2010 the Division issued a Notice of Intent to Impose Fine and Notice of Right to Request Hearing (hereinafter "Notice") wherein the Division imposed on the Respondent an administrative fine in the amount of Two Thousand Five Hundred Dollars and No Cents ($2,500.00) for Respondent's violations of NRS Chapter 645B; said Notice notified Respondent that, pursuant to NRS 645B.750, the Commissioner would issue a Final Order unless, within twenty (20) days of the Notice, Respondent requested, in writing, a hearing to contest the charges contained in the Notice.

7. Due to Respondent's failure to request any such hearing, the Division entered a Final Order on April 9, 2010, which required Respondent's payment, in full, of the administrative fine in the amount of $2,500.00 to the Division within **thirty (30)** days of entry of the Final Order.

8. To date, Respondent has failed to make payment, in full, of the administrative fine to the Division.

9. Pursuant to NRS 645B.670, as it existed at the time of the above-referenced violation, "[f]or each violation committed by a mortgage agent, the Commissioner may impose upon the mortgage agent an administrative fine of not more than $10,000.00, may suspend, revoke or place conditions upon his license, or may do both, if the mortgage agent, whether or not acting as such...[h]as violated any provision of this chapter, a regulation adopted pursuant to this chapter or an order of the Commissioner or has assisted or offered to assist another person to commit such a violation ..." *See*, NRS 645B.670(3)(k).

10. Pursuant to NRS 645B.740, "[t]he expiration or revocation of a license of a mortgage broker or mortgage agent by operation of law or by order or decision of the Commissioner or a court of competent jurisdiction, or the voluntary surrender of a license, does not:

1. Prohibit the Commissioner from initiating or continuing an investigation of, or action or disciplinary proceeding against, the mortgage broker or mortgage agent as authorized pursuant to the provisions of this chapter or the regulations adopted pursuant thereto; or

2. Prevent the imposition or collection of any fine or penalty authorized pursuant to the provisions of this chapter or the regulations adopted pursuant thereto against the mortgage broker or mortgage agent."

VIOLATIONS OF LAW

Respondent's failure to pay to the Division the administrative fine in the amount of $2,500.00 within 30 days of entry of the Final Order is in violation of a Final Order of the Commissioner.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that, pursuant to NRS 645B.670 and NRS 645B.750, upon the timely filing of an application with the Division within **twenty (20) days** of the date of this Order, Respondent shall be entitled to a hearing with regard to the contents of this Order. At that hearing, the Division will seek the revocation of Respondent's mortgage agent license for Respondent's violations of NRS Chapter 645B.

NOTICE TO RESPONDENT: 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. If the Division prevails at any hearing, it may request that attorney's fees and costs be awarded pursuant to NRS 622.400.

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

Dated this 16th day of June, 2010.

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

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

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 , July 8, 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 CHARMAINE A. HICKS, addressed as follows:

Charmaine A. Hicks
5450 S. Fort Apache #136
Las Vegas, NV 89148

Certified Receipt Number: 7006 2760 0000 0876 3428

DATED this 7th day of July, 2010

By: Susan Slack
Employee of the Division