STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF MORTGAGE LENDING

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In re:

Maria Cervantes,

Respondent

FINAL ORDER

The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Division"), having served Maria Cervantes ("Respondent") on February 1, 2011, with its Order to Cease and Desist, Notice of Intent to Order 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 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 served on February 2, 2011 via certified mail and regular mail, 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 622.080 and NRS Chapter 645F and the regulation, Respondent 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, Respondent 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 this Order;

Dated this 24th day of February, 2011.

By: Nancy Corbin

Nancy Corbin, Acting Commissioner
State of Nevada
Department of Business and Industry
Division of Mortgage Lending

EXHIBIT “1”

STATE OF NEVADA

DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF MORTGAGE LENDING

In re:

Maria Cervantes,

Respondent.

ORDER TO CEASE AND DESIST, NOTICE OF INTENT TO ORDER 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 (the "Regulation"). 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 the Regulation. Pursuant to that authority, the Division makes the following Factual Allegations, Violations of Law, and Order, as follows:

FACTUAL ALLEGATIONS

1. Based upon information and belief, and at all relevant times herein mentioned, US Home Solutions (hereinafter "US Home") was and is an organization of unknown entity with offices at 160 N. Riverview Drive, Suite 223, Anaheim Hills, California 92808.

2. Based upon information and belief, and at all relevant times herein mentioned, Maria Cervantes (hereinafter "Respondent") claimed to be employed by or associated with US

Home and acted as an agent or person employed by, or associated with, US Home and provided covered service provider services on its behalf in the State of Nevada.

3. Based upon information and belief, at all relevant times herein mentioned, Respondent provided services of, engaged in, carried on or held herself out as engaging in or carrying on the activities of a loan modification consultant, foreclosure consultant or covered service provider in Nevada.

4. Respondent has never 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.

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

a. JR (hereinafter "Complainant JR") was the owner of certain real property located at 2404 Chapman Drive, Las Vegas, Nevada 89104; and

b. RS (hereinafter "Complainant RS") was the owner of certain real property located at 2011 East Webb Avenue, North Las Vegas, Nevada 89030.

6. 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.

7. 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.

8. 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.

9. Pursuant to the Regulation, "[i]t is unlawful for any person to provide or offer to provide any of the services of a covered service provider, foreclosure consultant or loan modification consultant or otherwise to engage in, carry on or hold himself out as engaging in or carrying on the business of a covered service provider, foreclosure consultant or loan modification consultant without first obtaining the applicable license issued pursuant to this chapter and chapter 645F of NRS, unless the person" is exempt from licensing and complies with the requirements for that exemption. See Section 102 of the Regulation.

10. On or about August 13, 2010, the Division received a written complaint from Complainant JR and on or about September 16, 2010 received a written complaint from Complainant RS alleging, among other things, that from approximately April 2010 to September 2010 Respondent offered to provide, or provided, for compensation, services to obtain a mortgage loan modification for the Complainants and/or offered to provide, or provided, other covered services, as defined in NRS 645F.310, for the Complainants.

11. Pursuant to Section 105(1)(b) of the Regulation, the Division commenced an investigation which revealed, among other things, that:

a. From approximately April 2010 to September 2010 Respondent offered to provide, or provided, for compensation, services to obtain a mortgage loan modification for the Complainants and/or offered to provide, or provided, other covered services, as defined in NRS 645F.310, for the Complainants;

b. On June 22, 2010, Complainant JR paid Respondent Three Thousand Dollars and No Cents ($3,000.00) and on July 15, 2010 Complainant JR paid Respondent an additional Two Thousand Dollars and No Cents ($2,000.00) to obtain a mortgage loan modification for Complainant JR, although Respondent subsequently refunded Four Thousand Three Hundred Dollars and No Cents ($4,300.00) to Complainant JR, leaving a balance to be refunded of Seven Hundred Dollars and No Cents ($700.00);

c. On April 8, 2010, Complainant RS paid Respondent Two Thousand Three Hundred Dollars and No Cents ($2,300.00), on April 15, 2010 Complainant RS paid Respondent an additional One Thousand Three Hundred Dollars and No Cents ($1,300.00), and on May 7, 2010 Complaint RS paid an additional One Thousand Dollars and No Cents ($1,000.00) to obtain a mortgage loan modification for Complainant RS;

d. Respondent has never been issued a license by the Division as a loan modification consultant, foreclosure consultant or covered service provider (whether as an

independent licensee or associated licensee), pursuant to Chapter 645F of NRS and the Regulation; and

e. At all relevant times herein mentioned, Respondent was not exempt from the licensing requirements of Chapter 645F of NRS and the Regulation.

12. Pursuant to Section 103 of 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.

13. 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 Section 108(1) of the Regulation.

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...if the person...[d]oes not conduct business in accordance with law or has violated any provision of this chapter or chapter 645F of NRS or any order of the Commissioner...[or] [has offered or provided any services prescribed under this chapter or chapter 645F of NRS requiring licensure and the person did not have such a license and was not exempt from licensing at the time the person engaged in the activities...." See Sections 103(3)(c) and (w)

of the Regulation.

VIOLATIONS OF LAW

After investigation, the Division determined that, at all relevant times herein mentioned, Respondent offered or provided services of a covered services provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held herself 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 Sections 17, 103(3)(c) and 105(1)(b) 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 Respondent offered or provided services of a covered service provider, foreclosure consultant or loan modification consultant or otherwise engaged in, carried on or held herself out as engaging in or carrying on the business of a covered service provider, foreclosure consultant or loan modification consultant without having been issued a license by the Division and without being exempt from licensing, in violation of Chapter 645F of NRS and the Regulation, that, **RESPONDENT 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 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 herself 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 she has not received 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, Respondent shall be entitled to a hearing with regard to the contents of this Order to Cease and Desist. 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.

IT IS FURTHER ORDERED, pursuant to Chapter 645F of NRS and Section 103(2) of the Regulation, that Respondent immediately (a) cancel all existing contracts, if any, with homeowners and refund to such homeowners all moneys collected by Respondent from such homeowners or (b) obtain the written consent of the homeowners to transfer their files, moneys and contracts to a licensed, bonded independent licensee, HUD-approved counseling service or other entity exempt from Chapter 645F of NRS.

IT IS FURTHER ORDERED, pursuant to Chapter 645F of NRS and Section 103(2) of the Regulation that Respondent refund Seven Hundred Dollars and No Cents ($700.00) to Complainant JR and Four Thousand Six Hundred Dollars and No Cents ($4,600.00) to Complainant RS, (the "Restitution Amounts").

IT IS FURTHER ORDERED, pursuant to NRS 233B.121, Chapter 645F of NRS and Section 113(2) of the Regulation that upon application to the Division within **twenty (20) days** of the date of this Order, Respondent 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 Respondent in the amount of Ten Thousand Dollars and No Cents ($10,000.00), payable to the Division on account of Respondent's violations of Chapter

645F of NRS and the Regulation, the Division's investigatory and other costs in the amount of One Thousand One Hundred Ten Dollars and No Cents ($1,110.00), as well as the Division's attorney's fees, if any, by such Respondent within **thirty (30) days** of entry of the Final Order. The Division reserves the right to supplement its costs and attorney's fees at the hearing or upon submission of a proper affidavit.

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.

All notices to the Division must be sent by U.S. Postal Service or private carrier or delivery service to:

Commissioner
Division of Mortgage Lending
7220 Bermuda Road, Suite A
Las Vegas, NV 89119

Should 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 Respondent, as required by Section 113(2) of the Regulation.

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The Division's Final Order will require payment by Respondent of the administrative fine, the Division's investigative costs, the Division's attorney's fees, and the Restitution Amounts within **thirty (30) days** of the entry of the Final Order.

Dated this 1ST day of February, 2011.

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, February 2, 2011, 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, ORDER TO CEASE AND DESIST, NOTICE OF INTENT TO ORDER RESTITUTION, NOTICE OF INTENT TO IMPOSE FINE, AND NOTICE OF RIGHT TO REQUEST HEARING for, MARIA CERVANTES, addressed as follows:

Maria Cervantes
US Home Solutions
160 N. Riverview Drive, Suite 223
Anaheim Hills, CA 92808

Certified Receipt Number: 7009 2250 0001 8861 0807

DATED this 1st day of February 2011

By: Susan Slack
Employee of the Division

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, February 24, 2011, 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 MARIA CERVANTES, addressed as follows:

Maria Cervantes
US Home Solutions
160 N. Riverview Drive Ste 223
Anaheim Hills CA 92808

Certified Receipt Number: 7009 2250 0001 8861 0326

DATED this 24th day of February, 2011

By: Susan Slack
Employee of the Division