

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

Before the Commissioner of the Division of Mortgage Lending

In the Matter of:

FAMILY MORTGAGE, INC,
Mortgage Broker License No. 9,
Respondent.

CONSENT ORDER
TO CEASE AND DESIST VIOLATING NRS 645B
AND
TO PAY AN ADMINISTRATIVE FINE AND COSTS

Issued and Entered,
This 6th day of March, 2012,
By James Westrin,
Commissioner

The Commissioner of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Commissioner") having been statutorily charged with the responsibility and authority to administer and enforce Chapter 645B of the Nevada Revised Statutes, NRS 645B.010 *et seq.*, and Chapter 645B of the Nevada Administrative Code, NAC 645B.001 *et seq.*, governing the licensing and conduct of mortgage brokers in the State of Nevada; and,

The Commissioner having been granted general supervisory power and control over all mortgage brokers doing business in the State of Nevada pursuant to NRS 645B; and,

FAMILY MORTGAGE, INC. (the "Respondent") having made application for and been granted a license by the Commissioner as a mortgage broker, License No. 9, pursuant to NRS 645B, on September 22, 2003; and,

Respondent having been licensed with the Division of Mortgage Lending (the "Division") as a mortgage broker pursuant to NRS 645B at all times relevant to this matter and, therefore, subject to the jurisdiction of the Commissioner; and,

1 The Division having conducted an examination of Respondent and Respondent's books, records,
2 accounts and business practices, pursuant to NRS 645B.060, beginning on March 3, 2011 and
3 concluding on April 28, 2011; and,

4 The Division's examination having revealed that Respondent had engaged in or was engaging in
6 conduct that violated provisions of NRS 645B.010 *et seq.* Specifically, the Division's examination
7 revealed that a loan processor employed by Respondent altered documents in relation to residential
8 mortgage loans, in violation of NRS 645B.670(2)(o); and,

9 Respondent having submitted additional information to the Division demonstrating that: 1) the
10 violations were not the result of intentional conduct, but rather a matter of convenience in matters
11 relating to the transcription of immaterial documents from one language to another; 2) the Respondent
12 has taken timely and appropriate corrective measures; 3) the alleged violations did not cause harm or
13 loss to consumers; and 4) the alleged violations did not cause harm or loss to any financial lender; and,

14 Respondent having further expressed a desire to cooperate with the Division and avoid the time
15 and expense involved in an administrative enforcement hearing; and,

16 The Division and Respondent having conferred concerning this matter and determined to resolve
17 this matter pursuant to the following terms:

18 1. Respondent agrees to CEASE AND DESIST from any violation of NRS 645B, as set
19 forth above;

20 2. Respondent agrees to pay an ADMINISTRATIVE FINE in the amount of Three
21 Thousand Dollars and No Cents (\$3,000.00), pursuant to NRS 645B.670(2);

22 3. Respondent agrees to pay to the Division, in accordance with NRS 622.400 and upon the
23 entry of this order, the Division's ADMINISTRATIVE COSTS in the amount of One Hundred Eighty
24 Dollars and No Cents (\$180.00);

25 4. Respondent agrees to develop, implement, maintain, and enforce 1) a comprehensive
26 written employee Policy and Procedures Manual, 2) a comprehensive written Quality Control and
27 Compliance Program, and 3) a written Pre- and Post-Closing Compliance Audit Program; and,
28

1 Respondent having knowingly and voluntarily affixed her signature to the attached
2 VOLUNTARY CONSENT TO ENTRY OF CONSENT ORDER, incorporated herein by this reference,
3 has consented to the issuance of this CONSENT ORDER TO CEASE AND DESIST FROM
4 VIOLATING NRS 645B and ORDER TO PAY AN ADMINISTRATIVE FINE AND COSTS (the
5 "Order") with the intent to be legally bound hereby, and has waived and relinquished any and all rights
6 that Respondent may now or hereafter have to an administrative hearing in this matter or to judicial
7 review of, or otherwise challenge or contest, the entry of this Order; and,

8 Respondent having had opportunity to consult with legal counsel of her choosing concerning
9 this matter; and,

10 The Commissioner having determined that the terms of this ORDER is a reasonable resolution
11 of this matter and in the public interest.

12 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 13 1. Respondent shall CEASE AND DESIST from violating NRS 645B.670(2)(o).
- 14 2. Respondent shall pay to the Division, upon the entry of this order, an
15 ADMINISTRATIVE FINE in the amount of Three Thousand Dollars and No Cents (\$3,000.00).
- 16 3. Respondent shall pay to the Division, upon the entry of this order, the Division's
17 ADMINISTRATIVE COSTS in the amount of One Hundred Eighty Dollars and No Cents (\$180.00).
- 18 4. Respondent shall forthwith develop, implement, maintain, and enforce 1) a
19 comprehensive written employee Policy and Procedures Manual, 2) a comprehensive written Quality
20 Control and Compliance Program, and 3) a written Pre- and Post-Closing Compliance Audit Program.
- 21 5. This Order shall be and is effective and enforceable on the date that it is issued, as shown
22 in the caption hereof.
- 23 6. This Order shall be and is effective and enforceable until terminated, modified, set aside,
24 or suspended in writing by the Commissioner.

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