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: ABUSED & BATTERED CHILDREN – A-B-C D/B/A NATIONAL REAL ESTATE ASSOCIATION, Unlicensed, and BENJAMIN DONLON A/K/A BEN DONLON, Unlicensed, Respondents.	Order No. 2013-06 Case No. 2012-17

CONSENT ORDER
TO CEASE AND DESIST VIOLATING NRS 645F,
TO MAKE RESTITUTION,
TO PAY AN ADMINISTRATIVE FINE,
AND ADMINISTRATIVE COSTS.

Issued and Entered,
This 9th day of June, 2014,
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 645F of the Nevada Revised Statutes, NRS 645F.010 *et seq.*, (the "Act"), and Chapter 645F of the Nevada Administrative Code, NAC 645F.005 *et seq.*, (the "Regulation"), governing the licensing and conduct of covered service providers in the State of Nevada; and,

The Commissioner having been vested with general supervisory power and control over all covered service providers doing business in the State of Nevada pursuant to the Act; and,

The Commissioner has determined that Respondent failed to comply with the Act. The investigation of the Respondent by the Division of Mortgage Lending (the "Division") having revealed that:

1. ABUSED & BATTERED CHILDREN – A-B-C D/B/A NATIONAL REAL ESTATE ASSOCIATION ("NREA") and BENJAMIN DONLON A/K/A BEN DONLON ("DONLON") (collectively, the "RESPONDENTS") were engaged in activity requiring licensure as a covered service provider pursuant to provisions of NRS 645F.010 et seq. and NAC 645F.050 *et seq.*
2. Pursuant to NRS 645F.380(7), a nonprofit agency or organization, organized under Section 501(c)(3) of the Internal Revenue Code, that offers credit counseling or advice to a homeowners of a residence in foreclosure or a person in default on a loan is exempt from licensing pursuant to NRS 645F.
3. RESPONDENTS operated a covered service business out of an office located at 3235 S. Eastern Avenue, Las Vegas, Nevada 89104. RESPONDENTS assert that RESPONDENT NREA is a nonprofit organization exempt from licensing under NRS 645F pursuant to NRS 645F.380(7).
4. NREA's nonprofit status under Section 501(c)(3) of the Internal Revenue Code was revoked on May 15, 2010. NREA no longer qualified as an exempt nonprofit agency under NRS 645F.380(7) as of May 15, 2010.
5. On June 17, 2011, the Division received a complaint from JR ("Complainant JR") against RESPONDENTS and the Division commenced an investigation. The investigation revealed that on or about January 5, 2011, Complainant JR engaged RESPONDENTS to obtain "loss litigation" services on his home loan. In exchange for promising to perform the aforementioned services, JR paid to RESPONDENTS a fee of $2,500.00.
6. On or about June 17, 2012, the Division received a complaint from CL ("Complainant CL") against RESPONDENTS and the Division commenced an investigation. The investigation revealed that on or about November 19, 2011,

Complainant CL engaged RESPONDENTS to obtain loss mitigation services. In exchange for promising to perform the aforementioned services Complainant CL paid to RESPONDENTS a fee of $2,000.00.

The Commissioner having served upon RESPONDENTS on or about August 20, 2013, an Order to Cease and Desist violating NRS 645F, Order to Make Restitution, and Order Imposing an Administrative Fine and Administrative Costs as well as a Notice of Opportunity for Hearing; and the RESPONDENTS having timely requested a Hearing in this matter,

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

1. RESPONDENTS agree to CEASE AND DESIST from any violation of NRS 645F;
2. RESPONDENTS agree to make RESTITUTION to Complainant JR in the amount of $2,500.00 and to Complainant CL in the amount of $2,000.00 no later than 180 days after the effective date of this order; such restitution shall be tendered to the Division in the form of money orders or certified checks made payable to JR and CL respectively;
3. RESPONDENTS agree to pay an ADMINISTRATIVE FINE in the amount of $4,000.00 no later than 180 days after the effective date of this order and shall be tendered to the Division in accordance with the attached wire transfer instructions;
4. RESPONDENTS agree to pay the Division's ADMINISTRATIVE COSTS in the amount of $1,170.00 no later than 180 days after the effective date of this order and shall be tendered to the Division in accordance with the attached wire transfer instructions; and
5. RESPONDENTS agree that a Hearing is no longer needed in this matter and that counsel for the Division shall notify the Hearing Officer that the matter has been resolved and may be removed from his calendar..

RESPONDENTS having knowingly and voluntarily affixed their signature to the attached VOLUNTARY CONSENT TO ENTRY OF CONSENT ORDER, incorporated herein by this reference, have consented to the issuance of this CONSENT ORDER (the "Order") with the intent to be legally bound hereby, and having waived and relinquished any and all rights that RESPONDENTS may now or

hereafter have to an administrative hearing in this matter or to judicial review of, or otherwise challenge or contest, the entry of this Order; and,

RESPONDENTS having had opportunity to consult with legal counsel of its choosing concerning this matter; and,

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

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. RESPONDENTS shall CEASE AND DESIST from any violation of NRS 645F.

2. RESPONDENTS shall make RESTITUTION to Complainant JR in the amount of $2,500.00 and to Complainant CL in the amount of $2,000.00 no later than 180 days after the effective date of this Order.

3. RESPONDENTS shall pay an ADMINISTRATIVE FINE in the amount of $4,000.00 no later than 180 days after the effective date of this Order.

4. RESPONDENTS agree to pay the Division's ADMINISTRATIVE COSTS in the amount of $1,170.00 no later than 180 days after the effective date of this Order.

5. This Order shall be and is effective and enforceable on the date that it is issued, as shown in the caption hereof.

6. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended in writing by the Commissioner.

7. The Commissioner specifically retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as he shall deem just, necessary, and appropriate to enforce the provisions of NRS 645F and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By: _____
JAMES WESTRIN
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, June 10th, 2014, 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 CONSENT ORDER TO CEASE AND DESIST VIOLATING NRS 645F, TO MAKE RESTITUTION, TO PAY AN ADMINISTRATIVE FINE AND ADMINISTRATIVE COSTS, AND VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER IN THE MATTER OF ABUSED & BATTERED CHILDREN—ABC D/B/A NATIONAL REAL ESTATE ASSOCIATION, AND BENJAMIN DONLON A/K/A BEN DONLON addressed as follows:

Benjamin Donlon
Abused & Battered Children—ABC dba
National Real Estate Association
3235 S. Eastern Ave.
Las Vegas, NV 89169

Certified Receipt Number: 7009 2250 0001 8859 3629

DATED this 10th day of June, 2014

By: Jessica Castello
Employee of the Division