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: LAWRENCE LEE BATEMAN, JR., Mortgage Agent License No. 21346, NMLS ID No. 316215, Respondent.	)	Case No.: 2013-15 Order No.: 2014-02

CONSENT ORDER
IMPOSING AN ADMINISTRATIVE FINE,
AND REQUIRING COMPLIANCE AND CORRECTIVE ACTION AND
PAYMENT OF ADMINISTRATIVE COSTS

Issued and Entered,
This 23rd day of January, 2014,
By James Westrin,
Commissioner

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

The Commissioner is granted general supervisory power and control over mortgage brokers and mortgage agents doing business in the State of Nevada pursuant to the Act; and,

LAWRENCE LEE BATEMAN, JR. ("RESPONDENT") made application for and was granted a mortgage agent license by the Commissioner, MLD License No. 21346, pursuant to provisions of the Act, on September 22, 2003. RESPONDENT'S Unique NMLS Identification Number is 316215.

RESPONDENT has held this license at all times relevant to this matter and is, therefore, subject to the jurisdiction of the Commissioner; and,

A mortgage agent license expires each year on December 31st unless it is properly renewed in accordance with the requirements set forth in NRS 645B.430.1; and,

On December 27, 2012, RESPONDENT submitted an application to renew his mortgage agent license for the 2013 licensing year and the renewal was then granted based upon RESPONDENT'S representation in his renewal application; and,

The Division received information subsequent to RESPONDENT'S submission of his December 27, 2012 renewal application concerning the accuracy of RESPONDENT'S Renewal. The Division commenced an investigation, and from that investigation determined the following:

1. RESPONDENT is currently employed and sponsored by Southern Fidelity Mortgage, LLC, and works at its office located in Las Vegas, Nevada.
2. On or about December 27, 2012, RESPONDENT submitted his renewal application (the "Application") to the Commissioner, through the Nationwide Mortgage Licensing System & Registry ("NMLS"). In connection with RESPONDENT'S Application, RESPONDENT submitted an "Attestation" swearing or affirming that all of the information in RESPONDENT'S record in the NMLS was "true, accurate and complete". RESPONDENT further acknowledged that he has a "duty and agree[s] to expediently update and correct the information as it changes."
3. RESPONDENT'S Application contained a false statement of material fact in his response to Question No. (F)(2). Specifically, RESPONDENT answered in the negative to the following question:

   (2) Are there any pending charges against you for any felony?

4. RESPONDENT'S answer to the above question should have been in the affirmative because, on or about August 15, 2012, RESPONDENT was indicted on several felony counts in the State of Nevada, Clark County District Court (Case No. C-12-283462-2).
5. These felony charges were pending against RESPONDENT approximately four months later when, on December 27, 2012, RESPONDENT submitted his Application in which he swore

and affirmed that all of the information contained in his Application was "true, accurate and complete."

6. RESPONDENT'S failure to disclose the pending felony charges against him is a false statement of material fact in his Application and a violation of NRS 645B.410.3(b)(3) and (5) and NRS 645B.670.1(c)(4); and,

On October 7, 2013, in accordance with NRS 233B.127(3), RESPONDENT was served with (1) an administrative complaint providing notice of facts or conduct which warrant disciplinary action and (2) notice that, prior to the commencement of formal disciplinary action, he was entitled to an opportunity to show compliance with all lawful requirements for the retention of the license (the "NOSC"); and,

RESPONDENT did not respond to the NOSC and on October 24, 2013, a Notice of Intent to Revoke Mortgage Agent License and Notice of Opportunity for Hearing was issued and served on RESPONDENT; and,

On November 8, 2013, RESPONDENT contacted the Division to request a hearing and expressed a desire to meet informally to discuss this matter; and,

On December 3, 2013, an informal conference was held at the Division's office between RESPONDENT and Staff to discuss the findings of the Investigation and RESPONDENT submitted additional explanatory information and the following mitigating factors for consideration:

1. In 2010, RESPONDENT personally participated in a mortgage reduction program offered by a company called Financial Link Services ("FLS"). Upon the belief and assumption that the program offered quality benefits and services, RESPONDENT, along with hundreds of others, referred a small number of clients to the company and received a fee for doing so. RESPONDENT had no employment, ownership, financial interest, or other association whatsoever with the company. After RESPONDENT'S own mortgage reduction plan fell through, and he did not receive the contracted-for guaranteed refund, he immediately stopped referring individuals to the company.

2. In 2012, after cooperating and assisting in an investigation into FLS's activities, RESPONDENT was indicted on several felony counts along with FLS's principal. RESPONDENT steadfastly maintained his innocence and expended significant legal fees defending himself. After

several months, RESPONDENT accepted a plea deal to a misdemeanor charge of Conspiracy to Commit Disorderly Conduct and the felony charges were dropped. RESPONDENT accepted the plea based on the advice of counsel, and his inability to continue to afford to litigate the matter.

3. RESPONDENT, when submitting his Application through the NMLS, clicked the option to re-affirm that all the information in his NMLS record was the same as prior years. In his own words, RESPONDENT "just kept clicking next." Unbeknownst to RESPONDENT, due to his failure to revisit the initial application or his record, one of the NMLS questions asked if any felony charges were pending against him. Therefore, by failing to exercise due care, RESPONDENT inadvertently affirmed that no charges were pending against him, although at the time, several felony counts were pending against him.

4. In the ten (10) years that RESPONDENT has maintained his mortgage agent license with the Division, he has had no other actions brought against him; and,

The Division and RESPONDENT have conferred and determined to resolve this matter pursuant to the following terms:

1. RESPONDENT agrees to, now and at all times hereafter, CEASE AND DSIST from any violation of NRS Chapter 645B;

2. RESPONDENT agrees to pay an ADMINISTRATIVE FINE in the amount of $1,500.00, pursuant to NRS 645B.670.3(a);

3. RESPONDENT agrees to pay to the Division, in accordance with NRS 622.400 and upon the entry of this order, the Division's ADMINISTRATIVE COSTS and other costs in the amount of $180.00; and,

RESPONDENT, having knowingly and voluntarily affixed his signature to the attached VOLUNTARY CONSENT TO ENTRY OF CONSENT ORDER, incorporated herein by this reference, has consented to the issuance of this CONSENT ORDER IMPOSING AN ADMINISTRATIVE FINE, AND REQUIRING COMPLIANCE AND CORRECTIVE ACTION AND PAYMENT OF ADMINISTRATIVE COSTS (the "Order") with the intent to be legally bound hereby, and has waived and relinquished any and all rights that RESPONDENT 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,

RESPONDENT, having had opportunity to consult with legal counsel of his 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. Respondent shall CEASE AND DESIST from any and all violations of NRS Chapter 645B.

2. Respondent shall pay to the Division, upon the entry of this order, an ADMINISTRATIVE FINE in the amount of $1,500.00.

3. Respondent shall pay to the Division, upon the entry of this order, the Division's ADMINISTRATIVE COSTS and other costs in the amount of $180.00.

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

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

6. 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 645B.010 et seq. and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By [redacted]

JAMES WESTRIN, COMMISSIONER