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: OMEGA CAPITAL PARTNERS, LLC Respondent.	Case No.: 2013-20 Order No. 2014-06 *First Amended*

FINAL ORDER
IMPOSING ADMINISTRATIVE FINE

Issued and Entered,
This 25th day of March, 2014,
By James Westrin,
Commissioner

I.
BACKGROUND

WHEREAS, 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., and Chapter 645B of the Nevada Administrative Code, NAC 645B.010 et seq., (collectively, the "Act") governing the licensing and conduct of mortgage agents and mortgage brokers in the State of Nevada; and,

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

WHEREAS, on or about, June 6, 2013, Omega Capital Partners, LLC ("Respondent") made application for and was granted a license as a mortgage broker, License No. 3943, pursuant to provisions of the Act; and,

WHEREAS, at all times relevant herein, Respondent was licensed by the Commissioner as a mortgage broker; and,

WHEREAS, on or about January 3, 2014, the Commissioner served upon Respondent a NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE FINE and NOTICE OF OPPORTUNITY FOR HEARING (the "Notice"), attached hereto as Exhibit A and incorporated herein by this reference; and,

WHEREAS, said Notice informed Respondent of alleged facts and conduct which, if true, violated the Act and would result in the issuance and entry of a final order imposing an administrative fine against Respondent. Namely, said Notice alleged that Respondent failed to timely file its monthly activity reports for the months of June 2013, July 2013, and August 2013, in violation of NRS 645B.080(2) and NRS 645B.670(1)(b) (3) and (9); and,

WHEREAS, on or about September 19, 2013, the Commissioner served upon Respondent a Letter of Caution which included (1) notice of facts or conduct which warrant disciplinary action against Respondent's license and (2) notice of its opportunity to put into place measures to ensure compliance with the provisions of NRS 645B.080; and

WHEREAS, contrary to the Letter of Caution, Respondent failed to timely file its monthly activity reports for the months of October 2013 and November 2013, in violation of NRS 645B.080(2) and NRS 645B.670(1)(b) (3) and (9); and,

WHEREAS, said Notice further advised Respondent of its opportunity for an administrative hearing to contest the issuance and entry of a final order imposing an administrative fine against Respondent; and,

WHEREAS, Respondent failed to timely exercise its right to an opportunity for an administrative hearing and such right has been deemed waived and relinquished; and,

WHEREAS, on or about February 25, 2014, the Commissioner served upon Respondent a FINAL ORDER IMPOSING ADMINISTRATIVE FINE that erroneously referenced the ADMINISTRATIVE FINE in the amount of $2,500.00 being paid in full; and

II.
FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

WHEREAS, based upon the files and records of the Division of Mortgage Lending, the Commissioner FINDS and CONCLUDES that:

1. At all times relevant to the matters contained herein, Respondent was and is subject to the jurisdiction of the Commissioner.

2. NRS 645B.080(2) requires a licensed mortgage broker to file a report with the Commissioner each month which provides the volume of loans arranged by the mortgage broker in the immediately preceding month (hereinafter, the "monthly activity report").

3. Respondent failed to timely file its monthly activity report for the month(s) of June 2013, July 2013, August 2013, October 2013, and November 2013.

4. NRS 645B.670(1)(b) (3) provides that it is a violation if a mortgage broker does not conduct his or her business in accordance with law or had violated any provision of this chapter, a regulation adopted pursuant to this chapter or an order of the Commissioner.

5. NRS 645B.670(1)(b) (9) provides that it is a violation if a mortgage broker has refused to permit an examination by the Commissioner or his or her books and affairs or has refused or failed, within a reasonable time, to furnish any information or make any report that may be required by the Commissioner pursuant to the provisions of this chapter or a regulation adopted pursuant to this chapter.

6. NRS 645B.670(1)(b) provides that the Commissioner may impose an administrative fine of up to $25,000.00 and other administrative discipline against a mortgage broker that violates the Act.

7. Respondent's failure to timely file its monthly activity report for the month(s) of June 2013, July 2013, August 2013, October 2013, and November 2013 in accordance with the requirements

of NRS 645B.080(2), is a violation of NRS 645B.670(1)(b) (3) and (9) and subjects Respondent to an administrative fine of up to $25,000.00 for each violation and other administrative discipline.

III.
ORDER

NOW, THERFORE, based upon the factual findings and conclusions set forth above and the books and records of the Division of Mortgage Lending, IT IS HEREBY ORDERED THAT:

1. The February 25, 2014 Order issued in this matter shall be and hereby is rescinded and replaced by this Order.

2. An ADMINISTRATIVE FINE in the amount of $2,500.00 shall be and hereby is imposed upon Respondent. The ADMINISTRATIVE FINE is due and payable on or before the 30th day following the entry of this ORDER.

3. Respondent shall henceforth ensure that it timely files its monthly activity reports in accordance with NRS 645B.080(2).

4. This ORDER shall be and is effective and enforceable on the date 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 of the matter(s) contained herein and retains the authority to issue such further order(s) as he shall deem just, necessary, and appropriate to enforce NRS 645B 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, March 26th, 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 executed, FINAL ORDER IMPOSING ADMINISTRATIVE FINE IN THE MATTER OF OMEGA CAPITAL PARTNERS, LLC addressed as follows:

Dennis Scott Sheldon
608 Tandoori Lane
Las Vegas, NV 89138

Certified Receipt Number: 7009 2250 0001 8859 4084

Omega Capital Partners, LLC
8630 Technology Way, Suite B
Reno, NV 89521

Certified Receipt Number: 7009 2250 0001 8859 4077

DATED this 26th day of March, 2014

By: Jessica Castillo
Employee of the Division

Exhibit A

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: OMEGA CAPITAL PARTNERS, LLC Respondent.	Case No.: 2013-20

NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE FINE
AND
NOTICE OF OPPORTUNITY FOR HEARING

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., and Chapter 645B of the Nevada Administrative Code, NAC 645B.001 et seq., (collectively, the "Act") governing the licensing and conduct of mortgage agents and mortgage brokers in the state of Nevada; and,

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

Pursuant to that statutory authority granted to the Commissioner, Notice is hereby provided to Omega Capital Partners, LLC ("Respondent") to give Respondent notice of facts or conduct which, if true, will result in the issuance and entry of a final order imposing an administrative fine against Respondent. Notice is further provided to Respondent that Respondent is entitled to an administrative hearing to contest this matter if Respondent timely files written application for an administrative hearing in accordance with instructions set forth in Section III of this Notice.

I.

FACTUAL ALLEGATIONS

1. Respondent made application for and was granted a license as a mortgage broker, License No. 3943, on June 6, 2013, pursuant to provisions of the Act.

2. At all times relevant herein, Respondent was licensed by the Commissioner as a mortgage broker, pursuant to provisions of the Act, and subject to the jurisdiction of the Commissioner.

3. The Act requires each mortgage broker to file each month with the Commissioner a report which provides the volume of loans arranged by the mortgage broker in the immediately preceding month (hereinafter, the "monthly activity report"). Specifically, NRS 645B.080(2) provides as follows:

> Each mortgage broker shall submit to the Commissioner each month a report of the mortgage broker's activity for the previous month. The report must:
>
> (a) Specify the volume of loans arranged by the mortgage broker for the month or state that no loans were arranged in that month;
>
> (b) Include any information required pursuant to NRS 645B.260 or pursuant to the regulations adopted by the Commissioner; and
>
> (c) Be submitted to the Commissioner by the 15th day of the month following the month for which the report is made.

4. In relation to the failure of Respondent to timely file its monthly activity reports for the months of June 2013, July 2013, and August 2013, Respondent was served on or about September 19, 2013 with a Letter of Caution which included (1) notice of facts or conduct which warrant disciplinary action against Respondent's license and (2) notice of its opportunity to put into place measures to ensure compliance with the provisions of NRS 645B.080.

5. Contrary to the requirements of NRS 645B.080(2), and the Division's Letter of Caution, Respondent filed its October 2013 and November 2013 monthly activity report late.

6. The Act provides that it is a violation of the Act for a mortgage broker to fail to conduct its business in accordance with the Act or fail or refuse to timely file a required report. The Act further

grants the Commissioner the authority to impose an administrative fine or other discipline against a mortgage broker that violates the Act. NRS 645B.670(1)(b) (3) and (9) specifically provide as follows:

> For each violation committed by a mortgage broker, the Commissioner may impose upon the mortgage broker an administrative fine of not more than $25,000, may suspend, revoke or place conditions upon the mortgage broker's license, or may do both, if the mortgage broker, whether or not acting as such:
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> * * *
>
> (3) Does not conduct his or her business in accordance with law or has violated any provision of this chapter, a regulation adopted pursuant to this chapter or an order of the Commissioner;
>
> * * *
>
> (9) Has refused to permit an examination by the Commissioner of his or her books and affairs or has refused or failed, within a reasonable time, to furnish any information or make any report that may be required by the Commissioner pursuant to the provisions of this chapter or a regulation adopted pursuant to this chapter.

7. Respondent's failure to timely file with the Commissioner its monthly activity report for the month(s) of June 2013, July 2013, August 2013, September 2013, October 2013 and November 2013 is a violation of NRS 645B.670(1)(b) (3) and (9), and Respondent is, therefore, subject to the imposition of an administrative fine of up to $25,000.00 for each violation.

II.

NOTICE OF INTENT TO IMPOSE FINE

Based upon the factual allegations set forth in Section I. above, Respondent is hereby given notice that it is the intent of the Commissioner to issue and enter a final order against Respondent imposing an administrative fine of $2,500.00. Prior to the issuance and entry of a final order Respondent is entitled to an opportunity for administrative hearing to contest this matter if Respondent timely makes written application for such hearing in accordance with the instructions set forth in Section III. below.

III.

NOTICE OF OPPORTUNITY FOR HEARING

If Respondent wishes to exercise its right to an opportunity for an administrative hearing, within 20 days of the date of this Notice, Respondent must file a written application with the Commissioner to request a hearing. The written application requesting a hearing must be delivered to and received by the Division at:

Division of Mortgage Lending
Attn. Susan Slack
7220 Bermuda Road, Suite A
Las Vegas, Nevada 89119

If Respondent fails to timely file a written application with the Commissioner to request a hearing to contest this matter, Respondent's right to a hearing will be deemed waived and relinquished.

DIVISION OF MORTGAGE LENDING

James Westrin

James Westrin, Commissioner

Dated: 1/3/14

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, January 6th, 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, NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE FINE AND NOTICE OF OPPORTUNTY FOR HEARING for OMEGA CAPITAL PARTNERS, LLC addressed as follows:

Sheldon Dennis
Omega Capital Partners LLC
8630 Technology Way, Suite B
Reno, NV 89521

Certified Receipt Number: 7009 2250 0001 8861 2375

DATED this 3rd day of January, 2014

By: Susan Slack
Employee of the Division