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

Before the Commissioner of the Division of Mortgage Lending

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| In the Matter of:<br><br>VALLEY CONSTRUCTION SERVICES, INC.,<br><br>and<br><br>ALAN MAYNOR,<br>PRESIDENT & DIRECTOR,<br><br>and<br><br>JAN MAYNOR,<br>SECRETARY & TREASURER,<br><br>Respondents. | Order No.: 2014-146<br>Case No.: 2014-146 |

**CONSENT ORDER**
**CEASE AND DESIST VIOLATING NRS 645A,**
**MAKE RESTITUTION, AND**
**PAY ADMINISTRATIVE COSTS.**

Issued and Entered,
This 5th day of June, 2015,
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 645A of the Nevada Revised Statutes, NRS 645A.010 *et seq.* ("NRS 645A"), and Chapter 645A of the Nevada Administrative Code, NAC 645A.005 *et seq.* ("NAC 645A"), (collectively, the "Act") governing the licensing and conduct of escrow agencies and escrow agents in the state of Nevada; and,

The Commissioner having been granted general supervisory power and control and administrative enforcement authority over all escrow agencies and escrow agents doing business in the state of Nevada pursuant to the Act; and,

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

1. Valley Construction Services, Inc ("Valley") was a closely-held Nevada domestic corporation. Alan Maynor was the President and Director of Valley. Jan Maynor was the Secretary and Treasurer of Valley.
2. On or about April 14, 2014, the Division received a complaint from AT against Respondents, alleging that, while acting as an escrow agency in connection with a construction control account in relation to a residential construction project, Respondents had mishandled and was unable to account for $107,777.64 in funds it held in escrow for AT.
3. Neither Valley nor Alan Maynor or Jan Maynor held a license under the Act to engage in the conduct and activity of an escrow agency or escrow agent.
4. From its place of business located at 3265 East Warm Springs Road, Las Vegas, Nevada 89120, Respondents engaged in conduct and activity requiring licensure as an escrow agency under the Act. Particularly, in connection with at least the construction control account that is the subject of the complaint, Respondents held, controlled and disbursed monies deposited with it by and on behalf of the complainant for the purposes of making payments to persons providing goods, materials or services in relation to the construction of the residential construction project.

The Commissioner, having served upon Respondents on or about December 31, 2014, an Order to Cease and Desist, Order to Make Restitution, Order Imposing an Administrative Fine and Assessing Investigative 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 645A;

2. Respondents agree to continue to make RESTITUTION to Complainant AT in the total amount of $107,777.64 of which $50,286.31 remains due and outstanding as of the date of this Consent Order; such restitution shall be tendered monthly in the amount of $1,500.00 to AT with the total amount to be paid within 36 months from the date of entry of this Consent Order;
3. Respondents agree to pay to the Division an ADMINISTRATIVE FINE in the amount of $75,000.00. It is agreed that the collection of the administrative fine will be deferred for a period of 36 months ("deference period") from the date of entry of this Consent Order. If during the deference period, the Division receives a complaint against Respondents related to NRS 645A activities in Nevada; or Respondents fail to make the monthly restitution payments in paragraph 2; or the Respondents fail to pay the agreed to costs in paragraph 4 when they are due, the fine will become immediately due and payable. If, however, no complaints are received during the deferment period and the restitution and costs are paid in full, the administrative fine will be deemed rescinded;
4. Respondents agree to pay the Division's ADMINISTRATIVE COSTS in the amount of $6,179.00; with $1,500 due on June 1, 2015; $1,500 due on July 15, 2015 and the remaining $3,179 due on September 15, 2015 and shall be tendered to the Division in accordance with the attached wire transfer instructions;
5. Respondents agree that if they fail to make the monthly restitution payments in paragraph 2; or they fail to pay the agreed to costs in paragraph 4 when they are due, the Division may file the attached Confession of Judgement with the Court and the Respondents expressly agree that upon the filing of the Confession of Judgment with the Court, judgment may be immediately entered against the Respondents, with or without prior notice;
6. Respondents agree, now and at all times hereafter, to fully cooperate and thoroughly respond to any request from the Division for information or records confirming compliance with this Order; and
7. 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 their 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 645A.

2. RESPONDENTS shall make RESTITUTION to Complainant AT in the total amount of $107,777.64 of which $50,286.31 remains due and outstanding as of the date of this Consent Order; such restitution shall be tendered monthly in the amount of $1,500.00 to AT with the total amount to be paid within 36 months from the date of entry of this Consent Order.

3. RESPONDENTS shall pay an ADMINISTRATIVE FINE in the amount of $75,000.00. It is agreed that the collection of the administrative fine will be deferred for a period of 36 months ("deference period") from the date of entry of this Consent Order. If during the deference period, the Division receives a complaint against RESPONDENTS related to NRS 645A activities in Nevada; or RESPONDENTS fail to make the monthly restitution payments in paragraph 2; or the RESPONDENTS fail to pay the agreed to costs in paragraph 4 when they are due, the fine will become immediately due and payable. If, however, no complaints are received during the deferment period and the restitution and costs are paid in full, the administrative fine will be deemed rescinded.

4. RESPONDENTS agree to pay the Division's ADMINISTRATIVE COSTS in the amount of $6,179.00; with $1,500 due on June 1, 2015; $1,500 due on July 15, 2015 and the remaining $3,179 due on September 15, 2015.

5. If the RESPONDENTS fail to make the monthly restitution payments in paragraph 2; or they fail to pay the agreed to costs in paragraph 4 when they are due, the Division may file the attached Confession of Judgement with the Court.

6. RESPONDENTS, now and at all times hereafter, are to fully cooperate and thoroughly respond to any request from the Division for information or records confirming compliance with this Order.

7. RESPONDENTS are jointly and severally liable for all amounts under this Order including but not limited to, restitution, fines, and costs.

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

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

10. 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 645A 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 5th, 2015, 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 CEASE AND DESIST VIOLATING NRS 645A, MAKE RESTITUTION, AND PAY ADMINISTRATIVE COSTS in the matter of VALLEY CONSTRUCTION SERVICES, INC., ALAN MAYNOR, AND JAN MAYNOR, addressed as follows:

Alan Maynor
Jan Maynor
Valley Construction Services
2086 Sutton Way
Henderson, NV 89074

Certified Receipt Number: 7009 2250 0001 8859 0253

DATED this 5th day of June, 2015

By: Susan Slack
Employee of the Division