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:	Order No.: 2014-144
CHARLES HENRY GISCOMBE Mortgage Agent License No. 58704, NMLS ID No. 370072,	Case No. 2014-144
Respondent.	

CONSENT ORDER
IMPOSING AN ADMINISTRATIVE FINE AND
REQUIRING PAYMENT OF ADMINISTRATIVE COSTS

Issued and Entered
This 18th day of February, 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 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,

The Commissioner has determined that CHARLES HENRY GISCOMBE (hereinafter, "RESPONDENT") failed to comply with the Act. The investigation of the RESPONDENT by the Division of Mortgage Lending (the "Division") revealed that:

1. RESPONDENT made application for and was granted a mortgage agent license by the Commissioner, MLD License No. 48704, pursuant to provisions of the Act, on July 21, 2011. RESPONDENT'S NMLS Identification Number is 370072.
2. On July 5, 2012, the Commissioner issued and entered against RESPONDENT, a Consent Order which mandated that RESPONDENT shall cease and desist from violating NRS 645B.400, and to pay an administrative fine as well as other costs and attorneys' fees as specified ("2012 Consent Order").
3. On or about December 28, 2012, RESPONDENT submitted a renewal application to renew RESPONDENT'S mortgage agent license for the licensing period beginning January 1, 2013 and ending December 31, 2013 ("2013 Renewal"). Further, on or about December 30, 2013, RESPONDENT submitted a renewal application to renew RESPONDENT'S mortgage agent license for the licensing period beginning January 1, 2014 and ending December 31, 2014 ("2014 Renewal").
4. In RESPONDENT'S 2013 Renewal and 2014 Renewal, RESPONDENT answered in the negative to the Regulatory Action Disclosure questions in section (K)(2) and (K)(4) and failed to disclose the 2012 Consent Order.
5. RESPONDENT is also required to keep current the information on his NMLS MU4 form. RESPONDENT had failed to disclose in NMLS the 2012 Consent Order.
6. RESPONDENT'S failure to disclose the 2012 Consent Order on his renewal applications and in NMLS is contrary to NRS 645B.430(1), 645B.410(3), and 645B.670(1)(c)(4).

RESPONDENT states that he did not understand the disclosure requirements but that he is now aware of his obligation. Further, RESPONDENT has corrected his answers to questions (K)(2) and (K)(4) and disclosed the 2012 Consent Order in NMLS.

RESPONDENT further expressed a desire to cooperate with the Division, and to avoid the time and expense involved in a formal hearing; and

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

1. RESPONDENT agrees to continue to disclose the 2012 Consent Order and this CONSENT ORDER as required.

2. RESPONDENT agrees to pay to the Division an administrative fine in the amount of $1,000.00 within sixty (60) days of the effective date of this CONSENT ORDER.

3. RESPONDENT agrees to reimburse the Division for its administrative costs in the amount of $180.00 within sixty (60) days of the effective date of this CONSENT ORDER. These amounts shall be tendered to the Division in accordance with the attached wire transfer instructions.

RESPONDENT has knowingly and voluntarily affixed his signature to the attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER, incorporated herein by this reference, has agreed to the issuance of this CONSENT 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 CONSENT ORDER; and,

RESPONDENT has had the opportunity to consult with legal counsel of his choosing concerning this matter; and,

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

NOW, THERFORE, IT IS HEREBY ORDERED that:

1. RESPONDENT shall continue to disclose the 2012 Consent Order and this CONSENT ORDER as required.
2. RESPONDENT shall pay the Division an administrative fine in the amount of $1,000.00.
3. RESPONDENT shall reimburse the Division its administrative costs in the amount of $180.00 within sixty (60) days of the effective date of this CONSENT ORDER.
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 and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By: [redacted]

JAMES WESTRIN, COMMISSIONER