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: MERIT LENDING LLC Mortgage Broker License No. 4052, NMLS ID No. 1133463, Respondent.	Order No. 2015-029 Case No. 2015-029

CONSENT ORDER
TO CEASE AND DESIST VIOLATING NRS 645B
AND
IMPOSING AN ADMINISTRATIVE FINE AND ASSESSING ADMINISTRATIVE COSTS

Issued and Entered,
This 14th day of January, 2016,
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 Chapters 645B and 645E of the Nevada Revised Statutes, NRS 645B.010 *et. seq.*, ("NRS 645B") and NRS 645E.010 *et seq.* ("NRS 645E") (collectively, "the Statutes"), as well as Chapters 645B and 645E of the Nevada Administrative Code, NAC 645B.001 *et seq.* ("NAC 645B") and NAC 645E.010 *et seq.* ("NAC 645E") (collectively "the Regulations"), governing the licensing and conduct of mortgage brokers and mortgage agents, and the licensing and conduct of mortgage bankers, doing business in the State of Nevada; and,

The Commissioner is further granted general supervisory power and control and administrative enforcement authority over all mortgage bankers, mortgage brokers, and mortgage agents doing business in the State of Nevada pursuant to the Statutes and Regulations; and,

On or about January 15, 2014, MERIT LENDING LLC ("RESPONDENT") was issued a mortgage broker license (License No. 4052, NMLS ID No. 1133463) pursuant to NRS 645B; and,

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

RESPONDENT'S principal Nevada office is located at 9960 W. Cheyenne Avenue, Suite 240, Las Vegas, Nevada 89129; and,

Kelly Graham is RESPONDENT'S Managing Member and Sole Owner; and,

Based upon review of the files and records of the Division of Mortgage Lending (the "Division"), the Commissioner determined that RESPONDENT failed to comply with the requirements of NRS 645B. Namely, that contrary to the requirements of NRS 645B.085(1), NRS 645B.670(1)(b)(3), and NRS 645B.670(1)(b)(9), RESPONDENT failed to file with the Commissioner its financial statement for its fiscal year ended December 31, 2014 (as was due on or before March 31, 2015) and no extension of time has been requested or granted; and,

RESPONDENT, in accordance with NRS 233B.127(3), was served, on or about October 9, 2015, with a Notice of Opportunity to Show Compliance and Proposed Administrative Complaint providing RESPONDENT with (1) notice of facts or conduct which warrant disciplinary action against RESPONDENT'S mortgage broker license and (2) notice of its opportunity for an informal conference, prior to the commencement of formal disciplinary action, to show compliance with all lawful requirements for the retention of its license; and,

RESPONDENT exercised its right to an informal conference at the Division's offices on October 21, 2015, attended by the Deputy Commissioner, Division staff, and Mr. Graham. At the informal conference, Mr. Graham stated that he had simply forgotten or overlooked RESPONDENT'S statutory obligation to file its financial statement for its fiscal year ended December 31, 2014, and represented that he would immediately file RESPONDENT'S financial statements. On or about October 23, 2015, Mr. Graham submitted to the Commissioner RESPONDENT'S financial statement for its fiscal year ended December 31, 2014.

To avoid the time and expense involved in a formal administrative enforcement hearing, the Division and RESPONDENT have conferred concerning this matter and determined to resolve this matter pursuant to the following terms:

1. RESPONDENT agrees to file its financial statements from here on and to CEASE AND DESIST from any and all violations of NRS Chapter 645B; and,

2. RESPONDENT agrees to pay to the Division an ADMINISTRATIVE FINE in the amount of $1,000.00; and,

3. RESPONDENT agrees to pay the Division's ADMINISTRATIVE COSTS in the amount of $120.00, in accordance with NRS 622.400; and,

4. RESPONDENT understands and agrees that failure to strictly comply with each and every provision of this Order is a violation of NRS 645B.670(1)(b)(3) and is grounds for any discipline authorized under NRS 645B; and,

RESPONDENT, having knowingly and voluntarily affixed its signature to the attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER, incorporated herein by this reference, has consented to the issuance of this 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 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. RESPONDENT shall timely file its financial statements going forward and fully comply with all provisions of NRS 645B and CEASE AND DESIST from any and all violations of NRS 645B.

2. RESPONDENT shall pay to the Division an ADMINISTRATIVE FINE in the amount of $1,000.00. The ADMINISTRATIVE FINE shall be and is due upon RESPONDENT'S execution of the

attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER and shall be tendered to the Division in accordance with the instructions included in the enclosed invoice.

3. RESPONDENT shall pay to the Division ADMINISTRATIVE COSTS in the amount of $120.00. The ADMINISTRATIVE COSTS shall be and are due upon RESPONDENT'S execution of the attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S ORDER and shall be tendered to the Division with the ADMINISTRATIVE FINE described above in accordance with the instructions included in the enclosed invoice.

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 of 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 Act and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By: _____
JAMES WESTRIN, COMMISSIONER