

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:

SECURE INVESTMENT GROUP LLC,
Mortgage Broker License No. 4451,
NMLS ID No. 1476705,

and

ANN VAUGHN,
Mortgage Agent License No. 56509,
NMLS ID No. 1104363,

Respondents.

Order No. 2017-004

Case No. 2017-004

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

Issued and Entered,
This 27th day of November, 2017,
By Cathy Sheehy,
Commissioner

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

The Commissioner having been granted general supervisory power and control and administrative enforcement authority over mortgage brokers and mortgage agents doing business in the State of Nevada pursuant to the Statute; and,

1 The Commissioner having been further vested with broad authority to conduct investigations to
2 determine whether any person has violated any provision of the Act; and,

3 SECURE INVESTMENT GROUP LLC (“SIG”) is an active Nevada domestic limited-liability
4 company, which although having made application for a Nevada broker license on or about April 7,
5 2016, is not currently, and at no time relevant to this matter, has been licensed as a mortgage broker in
6 Nevada under the Statute; and,

7 ANN VAUGHN (“VAUGHN”) is licensed by the California Bureau of Real Estate as a
8 salesperson with a Monrovia, California mailing address, for a real estate broker located in Palm
9 Springs, California (License No. 01330177); and,

11 VAUGHN is the executive officer of SIG; and,

12 On or about September 23, 2016, VAUGHN, on behalf of SIG, submitted the Home-Based
13 Business Application which the Division requires to be provided by an applicant when seeking
14 licensure as a Nevada mortgage broker; and,

15 Among the specific licensure conditions and requirements which the Home-Based Business
16 Application form notifies and describes, and of which the applicant for a mortgage broker license must
17 understand, acknowledge, and agree, is that “the proposed licensed location is not within a gated or
18 restricted access community”; and,

19 Identifying SIG’s business address as 10080 Ellis Park Lane, Reno, Nevada 89521, VAUGHN
20 provided her notarized signature upon the Home-Based Business Application, expressly acknowledging
21 in conformance with the stated application language, that she had personally completed the application,
22 read and knew the contents thereof, that the statements made therein were true, and that she understood
23 and agreed to the requirements for a home-based business; and,

24 The Division having made an office visit to the 10080 Ellis Park Lane, Reno address, and
25 discovering that location was within a gated or restricted-access community; and,

1 SIG and VAUGHN (collectively, "RESPONDENTS") having been served on or about July
2 10, 2017, and in accordance with NRS 233B.127(3), with an ORDER TO CEASE AND DESIST,
3 ORDER IMPOSING AN ADMINISTRATIVE FINE AND INVESTIGATIVE COSTS, AND NOTICE
4 OF OPPORTUNITY FOR ADMINISTRATIVE HEARING providing RESPONDENTS with (1) notice
5 of facts or conduct which warrant disciplinary action against RESPONDENTS, and (2) notice of their
6 opportunity for an administrative hearing; and,

7
8 An informal conference having been conducted by the Division with RESPONDENTS and their
9 legal counsel on September 21, 2017; and,

10 RESPONDENTS having expressed their intent to comply with the Statute and the Regulation
11 and desire to cooperate with the Division and to avoid the time and expense involved in a formal
12 administrative enforcement hearing; and,

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

15
16 1. RESPONDENTS agree to henceforth CEASE AND DESIST from any violations of the
17 Act; and,

18 2. RESPONDENTS agree to pay to the Division an ADMINISTRATIVE FINE in the
19 amount of \$2,500.00. However, the collection of the ADMINISTRATIVE FINE will be deferred for a
20 period of one year beginning with RESPONDENTS' execution of the attached VOLUNTARY
21 CONSENT TO ENTRY OF COMMISSIONER'S CONSENT ORDER ("Voluntary Consent"). If,
22 during that one-year period, RESPONDENTS fully comply with all terms of this Consent Order, the
23 ADMINISTRATIVE FINE will be waived and rescinded; and,

24
25 3. RESPONDENTS agree to pay to the Division its INVESTIGATIVE COSTS in the
26 amount of \$3,060.00 in accordance with NRS 622.400; and,

1 4. RESPONDENTS understand and agree that failure to strictly comply with each and
2 every provision of this Consent Order is a violation of the Act and is grounds for any discipline
3 authorized under the Act.

4 RESPONDENTS, having knowingly and voluntarily affixed their signature to the attached
5 Voluntary Consent, incorporated herein by this reference, have consented to the issuance of this
6 Consent Order with the intent to be legally bound hereby, and having waived and relinquished any and
7 all rights that RESPONDENTS may now or hereafter have to be served with a notice of charges and an
8 administrative hearing in this matter or to judicial review of, or otherwise challenge or contest, the entry
9 of this Consent Order; and,
10

11 RESPONDENTS having had opportunity to consult with legal counsel of their choosing
12 concerning this matter; and,

13 The Commissioner having made the following FINDINGS and CONCLUSIONS based upon the
14 foregoing and the books and records of the Division:
15

16 1. The Commissioner has jurisdiction and authority to issue this Consent Order in this
17 matter, pursuant to the Nevada Administrative Procedures Act (“NAPA”), NRS 233B.010 *et seq.*, and
18 the Mortgage Brokers and Mortgage Agents Act, NRS 645B.010, *et seq.*

19 2. All required notices have been issued in this matter, and the notices and service thereof
20 were appropriate and lawful in all respects.

21 3. The terms of this Consent Order are a reasonable resolution of this matter and in the
22 public interest.

23 4. All applicable provisions of NAPA and NRS 622 have been met.

24 5. RESPONDENTS violated NRS 645B.670(1)(a).

25 NOW, THEREFORE, IT IS HEREBY ORDERED that:
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27 1. RESPONDENTS shall fully comply with all provisions of the Act and CEASE AND
28 DESIST from any and all violations of the Act.

1 2. RESPONDENTS shall pay to the Division an ADMINISTRATIVE FINE in the amount
2 of \$2,500.00. However, the collection of the ADMINISTRATIVE FINE will be deferred for a period of
3 one year beginning with RESPONDENTS' execution of the attached Voluntary Consent. If, during that
4 one-year period, RESPONDENTS fully comply with all terms of this Consent Order, the
5 ADMINISTRATIVE FINE will be waived and rescinded.

6 3. RESPONDENTS shall pay to the Division INVESTIGATIVE COSTS in the amount of
7 \$3,060.00. The investigative costs shall be and are due upon RESPONDENTS' execution of the
8 attached Voluntary Consent and shall be tendered to the Division in accordance with the instructions
9 included in the enclosed invoice.

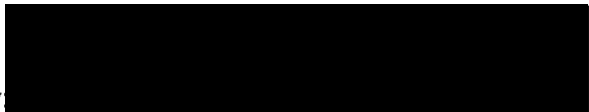
10 4. This Consent Order shall be and is effective and enforceable on the date that it is issued,
11 as shown in the caption hereof.

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

14 6. The Commissioner specifically retains jurisdiction over the matters contained herein and
15 has the authority to issue such further order(s) as the Commissioner shall deem just, necessary, and
16 appropriate to enforce the Act and protect the public.

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18 IT IS SO ORDERED.

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21 DIVISION OF MORTGAGE LENDING

22 By 

23 CATHY SHEEHY, COMMISSIONER