

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:

ROMIK YEGHNAZARY,
Mortgage Agent License No. 32672,
NMLS ID No. 372980,

Respondent.

Order No. 2017-002

Case No. 2017-002

CONSENT ORDER REQUIRING COMPLIANCE,
IMPOSING AN ADMINISTRATIVE FINE,
AND ASSESSING INVESTIGATIVE COSTS

Issued and Entered,
This 18th day of January, 2018,
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,

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

ROMIK YEGHNAZARY (hereinafter "RESPONDENT"), having made application for and been granted a mortgage agent license, MLD License No. 32672, by the Division on or about on or about September 6, 2005; and,

1 RESPONDENT having generally maintained or renewed his Nevada mortgage agent license
2 since the time of his initial licensure, however, during the course of an examination and ensuing
3 internal investigation of the Nevada mortgage broker who employed RESPONDENT as a mortgage
4 broker in December 2015, the Division discovered that RESPONDENT worked as a mortgage agent for
5 such broker engaging in loan origination activities while his license was in an "Approved-Inactive"
6 licensure status from December 10, 2015, until December 29, 2015; and,

7 RESPONDENT, having failed to update his employment information contained in the
8 Nationwide Mortgage Licensing System and Registry ("NMLS") to identify his newly employing
9 mortgage broker for sponsorship approval by the Division until December 29, 2015; and,

10 The status of RESPONDENT'S mortgage-agent license having been updated by the Division to
11 "Active Licensed" on December 31, 2015; and,

12 RESPONDENT having been served on or about July 10, 2017, and in accordance with
13 NRS233B.127(3), with a NOTICE OF INTENT TO ISSUE AND ENTER FINAL ORDER
14 IMPOSING ADMINISTRATIVE FINE AND ASSESSING INVESTIGATIVE COSTS AND NOTICE
15 OF OPPORTUNITY FOR HEARING providing RESPONDENT with (1) notice of facts or conduct
16 which warrant disciplinary action against RESPONDENT, and (2) notice of his opportunity for an
17 administrative hearing; and,

18 An informal conference having been conducted by the Division with RESPONDENT on
19 September 26, 2017; and,

20 RESPONDENT, having asserted that he requested authorization to originate loans and received
21 confirmation of the same from the office manager of his employing mortgage broker on December 10,
22 2015, acknowledged his failure to personally or independently verify his licensure status in the NMLS,
23 and expressed his intent to comply with the Statute and his desire to cooperate with the Division and to
24 avoid the time and expense involved in a formal administrative enforcement hearing; and,

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

27 1. RESPONDENT agrees to henceforth CEASE AND DESIST from any violations of the
28 Act; and,

1 2. RESPONDENT agrees to pay to the Division an ADMINISTRATIVE FINE in the
2 amount of \$5,000.00. However, said ADMINISTRATIVE FINE will be deferred for a period of one
3 year as of the date of RESPONDENT'S execution of the attached VOLUNTARY CONSENT TO
4 ENTRY OF COMMISSIONER'S CONSENT ORDER ("Voluntary Consent"). If RESPONDENT
5 fully complies with all terms of this Consent Order during that one-year period, the
6 ADMINISTRATIVE FINE will be waived and rescinded; and,

7 3. RESPONDENT agrees to pay to the Division its INVESTIGATIVE COSTS in the
8 amount of \$4,410.00 in accordance with NRS 622.400; and,

9 4. RESPONDENT understands and agrees that failure to strictly comply with each and
10 every provision of this Consent Order is a violation of the Act and is grounds for any discipline
11 authorized under the Act; and,

12 RESPONDENT, having knowingly and voluntarily affixed his signature to the attached
13 Voluntary Consent, incorporated herein by this reference, has consented to the issuance of this Consent
14 Order with the intent to be legally bound hereby, and having waived and relinquished any and all rights
15 that RESPONDENT may now or hereafter have to be served with a notice of charges and an
16 administrative hearing in this matter or to judicial review of, or otherwise challenge or contest, the entry
17 of this Consent Order; and,

18 RESPONDENT having had opportunity to consult with legal counsel of his choosing
19 concerning this matter; and,

20 The Commissioner having made the following FINDINGS and CONCLUSIONS based
21 upon the foregoing and the books and records of the Division:

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

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

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

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

5. RESPONDENT violated NRS 645B.400; NRS 645B.430(1); NRS 645B.410(1)(c); NRS 645B.410(1)(e)(1); NRS 645B.410(2)(d)-(e); NRS 645B.410(3)(a); NRS 645B.(3)(b)(5); NAC 645B.505(3)(a); and NRS 645B.670(1)(c), subsections (1), (2), (8), and (12).

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. RESPONDENT shall fully comply with all provisions of the Act and CEASE AND DESIST from any and all violations of the Act.

2. RESPONDENT shall pay to the Division an ADMINISTRATIVE FINE in the amount of \$5,000.00. However, the ADMINISTRATIVE FINE will be deferred for a period of one year as of the date of RESPONDENT'S execution of the attached Voluntary Consent. If RESPONDENT fully complies with all terms of this Consent Order during that one-year period, the ADMINISTRATIVE FINE will be waived and rescinded.

3. RESPONDENT shall pay to the Division INVESTIGATIVE COSTS in the amount of \$4,410.00. The costs shall be tendered to the Division in accordance with the instructions included in the enclosed invoice.

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

5. This Consent 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 the Commissioner shall deem just, necessary, and appropriate to enforce the Act and protect the public.

IT IS SO ORDERED.

DIVISION OF MORTGAGE LENDING

By: 
CATHY SHEEHY, COMMISSIONER