

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:

Case No. 2019-009

ANCHOR MORTGAGE CORPORATION  
Mortgage Broker License No. 265,  
NMLS ID No. 366710,

and

MICHAEL LEE ZULIANI  
President, Sole Owner & Qualified Employee,  
Mortgage Agent License No. 46717,  
NMLS ID No. 372746,

Respondents.

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

Issued and Entered,  
This 27<sup>th</sup> day of May, 2020,  
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 Act; 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 NRS 645B.900 prohibiting any person from offering or providing the services of a mortgage  
4 broker or mortgage agent, or otherwise from engaging in, carrying on, or holding himself or herself  
5 out  
6 as engaging in or carrying on the business of a mortgage broker or mortgage agent without first  
7 obtaining such license issued under the Statute unless the person is exempt; and,

8 The Division of Mortgage Lending (“the Division”) having received information indicating that  
9 ANCHOR MORTGAGE CORPORATION and MICHAEL LEE ZULIANI (“RESPONDENTS”) may  
10 have violated the Act; and,

11 Division staff having conducted and completed an investigation of RESPONDENTS’ business  
12 practices and activities pursuant to NRS 645B.060(2)(c), and, based upon the findings of that  
13 investigation, determined that RESPONDENTS acted in violation of provisions cited below;

14 RESPONDENTS having been served on or about July 24, 2019, in accordance with  
15 NRS 233B.127(3), with the NOTICE OF INTENT TO ISSUE AND ENTER FINAL ORDER IMPOSING  
16 ADMINISTRATIVE FINES AND REQUIRING PAYMENT OF INVESTIGATIVE COSTS AND NOTICE OF  
17 OPPORTUNITY FOR HEARING (“NOTICE OF INTENT”) providing RESPONDENTS with: (1) notice  
18 of facts or conduct which warrant disciplinary action against RESPONDENT, and (2) notice of  
19 opportunity for administrative hearing; and,

20 RESPONDENTS, having expressed his intent to comply with the Act and his desire to  
21 cooperate with the Division, and to avoid the time and expense involved in a formal administrative  
22 enforcement hearing; and,

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

25 1. RESPONDENTS agree to henceforth comply with all provisions of the Act, including as  
26 such pertains to the unlicensed practices and activities prohibited by the Act; and,

1           2.       RESPONDENTS agree to pay to the Division an ADMINISTRATIVE FINE in the  
2 amount of \$7,500.00 to resolve claims of violations with respect to the violations in the NOTICE OF  
3 INTENT; and,

4           3.       RESPONDENTS agree to pay to the Division its INVESTIGATIVE COSTS in the  
5 amount of \$3,315.00 in accordance with NRS 622.400 to reimburse the Division for such costs  
6 associated with the NOTICE OF INTENT; and,

7           4.       RESPONDENTS understand and agree that failure to strictly comply with each and  
8 every provision of this Consent Order is a violation of the Act and is grounds for any further discipline  
9 authorized under the Act; and,

10          5.       RESPONDENTS, having knowingly and voluntarily affixed their signature(s) to the  
11 attached VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S CONSENT ORDER  
12 REQUIRING COMPLIANCE, IMPOSING AN ADMINISTRATIVE FINE, AND ASSESSING  
13 INVESTIGATIVE COSTS ("VOLUNTARY CONSENT"), incorporated herein by this reference, has  
14 consented to the issuance of this Consent Order with the intent to be legally bound hereby, and having  
15 waived and relinquished any and all rights that RESPONDENTS may now or hereafter have to be  
16 served with a notice of charges and an administrative hearing in this matter or to judicial review of, or  
17 otherwise challenge or contest, the entry of this Consent Order; and,

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

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

22           A.       The Commissioner has jurisdiction and authority to issue this Consent Order in this  
23 matter, pursuant to the Nevada Administrative Procedures Act ("NAPA"), NRS  
24 233B.010 *et seq.*, and the Mortgage Brokers and Mortgage Agents Act, NRS  
25 645B.010, *et seq.*

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

28

1 C. The terms of this Consent Order are a reasonable resolution of this matter and in the  
2 public interest.

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

4 E. RESPONDENTS violated, *inter alia*, NRS 645B.670, NAC 645B.505(3)(d)(3), and  
5 NAC 645B.410(3)(b)(5) and NRS 645B.020(3)(b)(1).

6 NOW, THEREFORE, IT IS HEREBY ORDERED that:

7 1. RESPONDENTS shall henceforth fully comply with the provisions of the Act and shall  
8 CEASE AND DESIST from any and all violations of the Act.

9 2. RESPONDENTS shall pay to the Division an ADMINISTRATIVE FINE in the amount  
10 of \$7,500.00. The administrative fine shall be and is due to the Division no later than May 29, 2020 (as  
11 reflected in the attached invoice) and shall be accompanied by the signed and notarized VOLUNTARY  
12 CONSENT as attached.

13 3. RESPONDENTS shall pay to the Division its INVESTIGATIVE COSTS in the amount  
14 of \$3,315.00. The investigative costs shall be and are due to the Division no later than May 29, 2020  
15 (as reflected in the attached invoice) and shall be accompanied by the signed and notarized  
16 VOLUNTARY CONSENT as attached.

17 4. Failure by RESPONDENTS to abide by the foregoing terms as set forth in this Consent  
18 Order shall render the terms of this Consent Order voidable at the discretion of the Commissioner,  
19 thereby subjecting RESPONDENTS to all disciplinary measures authorized under the Act, including  
20 those described in the NOTICE of which RESPONDENTS were previously notified in this matter.

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

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

25 ...

26 ...

27 ...

28 ...

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

7. 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