



January 2, 2020
Notice of Posting
Pursuant to NRS 622.330 and NRS 241

Consent Order between the State of Nevada, Department of Business and Industry, Division of Mortgage Lending and Eitan Shafshak, Respondent.

The State of Nevada, Department of Business and Industry, Division of Mortgage Lending (“the Division”) intends to resolve the alleged violation by entering into a consent or settlement agreement with the person who allegedly committed the violation and for the limited time set forth in the notice, any person may request that the State of Nevada, Department of Business and Industry, Division of Mortgage Lending conduct a public meeting to discuss the terms of the consent or settlement agreement by submitting a written request for such a meeting to the State of Nevada, Department of Business and Industry, Division of Mortgage Lending at the above address within the time prescribed in the notice. At the expiration of the notice period, if the State of Nevada, Department of Business and Industry, Division of Mortgage Lending has not received any requests for a public meeting regarding the consent or settlement agreement the State of Nevada, Department of Business and Industry, Division of Mortgage Lending may enter into a consent or settlement agreement. A request for a public meeting should be made in writing, in person or by mail, email, or facsimile, addressed to the following:

Kelley Pacheco
Title: Administrative Assistant III
Department of Business & Industry
3300 West Sahara Avenue, Suite 285
Las Vegas, NV 89102
Phone: 702-486-7251
Email: Kpacheco@mld.nv.gov
Fax: 702-486-0782

The attached Consent Order, representing a proposed form of an order with respect to the above respondent, will be posted at following locations and on the Division’s website at www.mld.nv.gov for three working days commencing on Thursday, January 2, 2020 and ending on Monday, January 6, 2020, after which the Division reserves the right to enter into the consent or settlement agreement in the form attached, in a modified form, or not at all.

Grant Sawyer Building 555 E. Washington Avenue Las Vegas, NV 89101	State Library 100 North Stewart Street Carson City, NV 89701	Division of Mortgage Lending 3300 West Sahara Avenue, Suite 285 Las Vegas, NV 89102
Office of the Attorney General 100 North Carson Street Carson City, NV 89701		Department of Business and Industry 1830 E. College Pkwy., Ste. 100 Carson City, NV 89706

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:

EITAN SHAFSHAK
Mortgage Agent License No. 33374,
NMLS ID No. 374241,

Respondent.

Case No. 2019-002

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

Issued and Entered,
This ____ day of _____, 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,

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,

NRS 645B.900 prohibiting any person from offering or providing the services of a mortgage broker or mortgage agent, or otherwise from engaging in, carrying on, or holding himself or herself out

...

1 as engaging in or carrying on the business of a mortgage broker or mortgage agent without first obtaining
2 such license issued under the Statute unless the person is exempt; and,

3 The Division of Mortgage Lending (“the Division”) having received information indicating that
4 EITAN SHAFSHAK (“RESPONDENT”) and,

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

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

14 RESPONDENT, having expressed his intent to comply with the Act and his desire to cooperate
15 with the Division, and to avoid the time and expense involved in a formal administrative enforcement
16 hearing; and,

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

19 1. RESPONDENT agrees to henceforth comply with all provisions of the Act, including as
20 such pertains to the unlicensed practices and activities prohibited by the Act; and,

21 2. RESPONDENT agrees to pay to the Division an ADMINISTRATIVE FINE in the amount
22 of \$20,000.00 to resolve claims of violations with respect to the one unlicensed lending matter identified
23 in the CEASE AND DESIST ORDER; and,

24 3. RESPONDENT agrees to pay to the Division its INVESTIGATIVE COSTS in the amount
25 of \$2,940.00 in accordance with NRS 622.400 to reimburse the Division for such costs associated with
26 the NOTICE OF INTENT; and,

27 . . .

28 . . .

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

4 5. RESPONDENT, having knowingly and voluntarily affixed his signature to the attached
5 VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER’S CONSENT ORDER REQUIRING
6 COMPLIANCE, IMPOSING AN ADMINISTRATIVE FINE, AND ASSESSING INVESTIGATIVE
7 COSTS (“VOLUNTARY CONSENT”), incorporated herein by this reference, has consented to the
8 issuance of this Consent Order with the intent to be legally bound hereby, and having waived and
9 relinquished any and all rights that RESPONDENT may now or hereafter have to be served with a notice
10 of charges and an administrative hearing in this matter or to judicial review of, or otherwise challenge or
11 contest, the entry of this Consent Order; and,

12 6. RESPONDENT having had opportunity to consult with legal counsel of his choosing
13 concerning this matter; and,

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

16 A. The Commissioner has jurisdiction and authority to issue this Consent Order in this
17 matter, pursuant to the Nevada Administrative Procedures Act (“NAPA”), NRS
18 233B.010 *et seq.*, and the Mortgage Brokers and Mortgage Agents Act, NRS
19 645B.010, *et seq.*

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

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

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

25 E. RESPONDENT violated, *inter alia*, NRS 645B.0147(1), NAC 645B.505(3)(d)(3), and
26 NAC 645B.505(3)(d)(5).

27 ...

28 ...

1 NOW, THEREFORE, IT IS HEREBY ORDERED that:

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

4 2. RESPONDENT shall pay to the Division an ADMINISTRATIVE FINE in the amount of
5 \$20,000.00. The administrative fine shall be and is due to the Division no later than March 1, 2020 (as
6 reflected in the attached invoice) and shall be accompanied by the signed and notarized VOLUNTARY
7 CONSENT as attached.

8 3. RESPONDENT shall pay to the Division its INVESTIGATIVE COSTS in the amount of
9 \$2,940.00. The investigative costs shall be and are due to the Division no later than March 1, 2020 (as
10 reflected in the attached invoice) and shall be accompanied by the signed and notarized VOLUNTARY
11 CONSENT as attached.

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

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

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

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

23 IT IS SO ORDERED.

24
25 DIVISION OF MORTGAGE LENDING

26
27 By: _____
CATHY SHEEHY, COMMISSIONER