

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING

Before the Commissioner of the Division of Mortgage Lending

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In the Matter of:)	Order No. 2021-010	
)	Case No. 2021-010	
South Wind Financial, Inc., a Nevada corporation, and Sandra Menard, an individual.)		
)		
License Numbers:)		
MLD No. 437)		
MLD No. 46381)		
Respondents.)		
)		

CONSENT ORDER

Issued and Entered,
This 25th day of May, 2022,
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 and Chapter 645B of the Nevada Administrative Code (collectively, “the Act”), governing the licensing and conduct of mortgage agents and/or mortgage loan originators and mortgage brokers and/or mortgage companies doing business in the State of Nevada; and,

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

The Division of Mortgage Lending (“the Division”) having received information indicating that RESPONDENTS South Wind Financial, Inc., a Nevada corporation, and Sandra Menard, an individual, (hereinafter “RESPONDENTS”) failed to supervise mortgage loan originator Laus Abdo; and

The Division having commenced an investigation of RESPONDENTS’ business practices pursuant to NRS 645B.060, and having determined from that investigation that RESPONDENTS did fail to supervise mortgage loan originator Laus Abdo; and

1 RESPONDENTS having been served on or about March 14, 2022, with a Notice of Intent to Issue
2 and Enter Final Order, Imposing Administrative Fines, Requiring Payment of Investigative Costs, and
3 Notice of Opportunity for Hearing (“Notice of Intent”), providing RESPONDENTS with (1) notice of facts
4 or conduct which warrant disciplinary action against RESPONDENTS, (2) a notice of opportunity for
5 administrative hearing; and (3) a notice of an opportunity for an informal conference, prior to the
6 commencement of formal disciplinary action, to show compliance with all lawful requirements; and,

7 RESPONDENTS having not exercised their right to an informal conference but having requested an
8 administrative hearing;

9 RESPONDENTS now, having conferred with the Division’s counsel to resolve this matter without
10 the time and expense of a protracted evidentiary hearing, desire to resolve this matter in full pursuant to the
11 following terms:

12 1. By entering into this Consent Order, RESPONDENTS do not admit or deny the allegations,
13 or the Findings of Fact or Conclusion of Law set forth in the Notice of Intent.

14 2. RESPONDENTS agree to pay the Division an administrative fine in the amount of
15 \$7,500.00;

16 3 RESPONDENTS agree to pay the Division the Division’s administrative and other costs in
17 the amount of \$2,490.00, and

18 RESPONDENTS, having knowingly and voluntarily affixed their signature to the attached
19 VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER’S CONSENT ORDER (the “Voluntary
20 Consent”), incorporated herein by this reference, have consented to the issuance of this Consent Order (“the
21 Order”) with the intent to be legally bound hereby, and having waived and relinquished any and all rights
22 that RESPONDENTS may now or hereafter have to attend an administrative hearing in this matter or to
23 judicial review thereof, or otherwise challenge or contest, the entry of this Order; and,

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

26 The Commissioner having determined that the terms of this Order are a reasonable resolution of this
27 matter and in the public interest.

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1 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 2 1. RESPONDENTS shall pay to the Division an administrative fine in the amount of \$7,500.00. The
3 administrative fine shall be and is due in full within 60 days of the entry of this Order and shall be
4 tendered to the Division in accordance with the instructions included in the enclosed invoice.
- 5 2. RESPONDENTS shall pay to the Division the Division's administrative and other
6 costs in the amount of \$2,490.00. The administrative costs shall be due within 30 days of the entry
7 of this Order and shall be tendered to the Division in accordance with the instructions included in
8 the enclosed invoice.
- 9 3. This Order shall be and is effective and enforceable on the date that it is issued, as shown in the
10 caption hereof.
- 11 4. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended
12 in writing by the Commissioner.
- 13 5. The Commissioner specifically retains jurisdiction over the matters contained herein and has the
14 authority to issue such further orders as she shall deem just, necessary, and appropriate to enforce
15 this Consent Order. Notwithstanding the foregoing, nothing herein shall be construed to limit the
16 Commissioner's authority to bring any other action against Respondents not related to the
17 Investigation (defined in the Voluntary Consent), Notice of Intent, or this action (case number 2021-
18 010-) as necessary to enforce the provisions of the Act and to protect the public.
- 19 6. The parties agree that upon payment of the administrative fine and costs set forth in this Order, this
20 Case, No. 2021-010 shall be dismissed with prejudice, and notice of same shall be submitted by the
21 Attorney General's office with Administrative Law Judge Cara Brown.

22 IT IS SO ORDERED.

23 DIVISION OF MORTGAGE LENDING

24 By: _

25 Cathy Sheehy, Commissioner