

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:

HERBERG, INC.
D/B/A NORTHSTAR MORTGAGE,
Mortgage Company License No. 5516,
NMLS ID No. 283283.

Respondent.

Case No. 2023-007

CONSENT ORDER

Issued and Entered,
This 7th day of November, 2023,
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 HERBERG, INC. D/B/A NORTHSTAR MORTGAGE, (hereinafter “RESPONDENT”) failed to timely file its monthly activity report for the months of November 2022, December 2022, and January 2023, in accordance with NRS 645B.080(2); and

RESPONDENT having been served on or about May 10, 2023, with a Notice of Opportunity to Show Compliance and Proposed Administrative Complaint (“Notice”), providing RESPONDENT with (1) notice of facts or conduct which warrant disciplinary action against RESPONDENT, and (2) a notice of an

1 opportunity for an informal conference, prior to the commencement of formal disciplinary action, to show
2 compliance with all lawful requirements; and,

3 RESPONDENT having exercised their right to an informal conference and that the conference being
4 held via videoconference on August 1, 2023, attended by Division staff, Division counsel and
5 REPENDENT. At the conference RESPONDENT stated their conducted was not intended to violate the
6 Act; and

7 The Division and RESPONDENT having conferred at the conference, via email and telephonic
8 conversations between Division counsel and RESPONDENT, for the purpose of resolving this matter
9 pursuant to the following terms:

- 10 1. RESPONDENT and Division agree that no administrative fine and other costs be paid; and
- 11 2. RESPONDENT shall henceforth ensure that it timely files its monthly activity reports in
12 accordance with NRS 645B.080(2).

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

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

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

23 NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 24 1. RESPONDENT and Division agree that no administrative fine and other costs be paid; and
- 25 2. RESPONDENT shall henceforth ensure that it timely files its monthly activity reports in accordance
26 with NRS 645B.080(2).
- 27 3. This Order shall be and is effective and enforceable on the date that it is issued, as shown in the
28 caption hereof.

1 4. This Order shall remain effective and enforceable until terminated, modified, set aside, or suspended
2 in writing by the Commission.

3 5. The Commissioner specifically retains jurisdiction over the matters contained herein and has the
4 authority to issue such further orders as she shall deem just, necessary, and appropriate to enforce
5 this Consent Order. Notwithstanding the foregoing, nothing herein shall be construed to limit the
6 Commissioner's authority to bring any other action against Respondent not related to the
7 Investigation (defined in the Voluntary Consent), Notice of Intent, or this action, as necessary to
8 enforce the provisions of the Act and to protect the public.

9 IT IS SO ORDERED.

10
11 DIVISION OF MORTGAGE LENDING

12
13 By: 

14 Cathy Sheehy, Commissioner