FILED

DEPARTMENT OF REAL ESTATE
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December 12, 2012

DEPARTMENT OF REAL ESTATE

By _____

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

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To:	NO. H- 2795 FR
GREG WERFEL, and ANDERSON RESIDENTIAL SOLUTIONS	ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of GREG WERFEL doing business as ANDERSON RESIDENTIAL SOLUTIONS and of the activities of ANDERSON RESIDENTIAL SOLUTIONS, a foreign entity of unknown form and origin. Based on that investigation, the Commissioner has determined that GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS have engaged in, are engaging in, or are attempting to engage in, acts or practices requiring a real estate broker license, within the meaning of Section 10131(a) of Business and Professions Code (the Code) by soliciting prospective purchasers of real property and/or negotiated the purchase and/or sale of real property and within the meaning of Section 10131(d) of the Code by performing, soliciting to perform, and negotiating to perform services for borrowers and/or lenders in connection with loans secured by real property. Based on the findings of that investigation, as set forth below, the Commissioner hereby issues the following

Findings of Fact, Conclusions of Law, and Desist and Refrain Order under authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS, those acts are alleged to have been performed by GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the name "ANDERSON RESIDENTIAL SOLUTIONS" or other fictitious names unknown at this time.

FINDINGS OF FACT

1. At no time herein mentioned have GREG WERFEL or ANDERSON RESIDENTIAL SOLUTIONS been licensed by the Department in any capacity.

2. During the period of time set out below, GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS solicited for or negotiated with purchasers or sellers to purchase real property and solicited for or negotiated with borrowers to perform services for borrowers in connection with loans secured by real property.

3. Beginning in or about April 2011, GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS, for or in expectation of compensation, solicited and/or negotiated with Michael and Bridgit M. as borrowers and sellers in connection with loans secured by their real property, identified as 10711 Dapple Way in Bakersfield, California, to negotiate a short sale of said property with said borrower's lender(s) in violation of Section 10130 of the Code (unlawful for any person to engage in the business of, act in the capacity of, advertise or assume to act as a real estate broker or salesperson unless licensed by the Department), and Section 10139 of the Code (unlawful for any person to act as a real estate broker or real estate salesperson without a license). At no time herein mentioned did GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS intend to purchase the subject property or to act as a principals in the purchase and sale transaction, but instead intended that the property would be sold to a third party whereupon GREG WERFEL and ANDERSON

RESIDENTIAL SOLUTIONS would claim a short sale negotiation fee to be paid by the third party purchaser. At all times herein mentioned, GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS intended to act and did act on behalf of the said borrowers for the purpose of negotiating with said borrowers' lender for a short sale.

CONCLUSIONS OF LAW

4. Based on the information contained in Paragraphs 1 through 3, GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS solicited or negotiated with borrowers and/or lenders to perform services in connection with loans secured by real property on behalf borrowers and/or lenders, and to list or to negotiate the sale of real property or to solicit for purchasers of real property on behalf of others, acts which require a real estate license under Sections 10131(a) and 10131(d) of the Code, during a period of time when GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS were not licensed by the Department in any capacity in violation of Sections 10130 and 10139 of the Code.

DESIST AND REFRAIN ORDER

5. Based on the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that GREG WERFEL and ANDERSON RESIDENTIAL SOLUTIONS, doing business under your own name, or any other names, ARE HEREBY ORDERED to immediately desist and refrain from performing acts within the State of California for which a real estate broker license is required until you are properly licensed. In particular, you are ORDERED TO DESIST AND REFRAIN from:

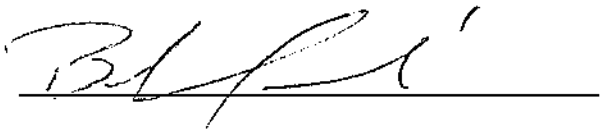
1.) Soliciting or negotiating with borrowers and lenders to perform services in connection with loans secured by real property on behalf of others, for or in expectation of compensation, unless and until you obtain a real estate broker license issued by the Department; and,

2.) Selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers of, soliciting or obtaining listings of, or negotiating the purchase, sale or

exchange of real property or a business opportunity on behalf of others, for or in expectation of compensation, unless and until you obtain a real estate broker license issued by the Department

DATED: 12-4-12

Real Estate Commissioner



-NOTICE-

Business and Professions Code Section 10139 provides that, "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000). . . ."

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