FILED

DEPARTMENT OF REAL ESTATE
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June 20, 2012

DEPARTMENT OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To: VARCOSE MARKETING, LLC and CARTER BRASURE GRANT	NO. 11415 SF ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner (Commissioner) of the State of California has caused an investigation to be made of the activities of VARCOSE MARKETING, LLC (VARCOSE) and CARTER BRASURE GRANT (GRANT), including engaging in the business of, acting in the capacity of, advertising or assuming to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the California Business & Professions Code (the Code). Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that VARCOSE and GRANT, have violated Section 10130 of the Code by engaging in the business of or acting as a real estate salesperson, broker or corporate real estate broker, within the meaning of Sections 10130 and 10131(d) of the Code without first having obtained a real estate license from the California Department of Real Estate (Department).

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FINDINGS OF FACT

1. At no time mentioned herein was VARCOSE licensed by the Department in any capacity.

2. At no time mentioned herein was GRANT licensed by the Department in any capacity.

3. At no time mentioned herein was Mortgage Relief Help Center or Doc Audit 123 licensed by the Department in any capacity.

4. At all times mentioned herein between on or about July of 2009, and continuing up to at least May 11, 2012, VARCOSE and GRANT engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(d) of the Code, including soliciting borrowers or lenders, negotiating loans, collecting payments, or performing services for borrowers or lenders, including but not limited to real property commonly known as: 2450 Lymberry St., #212, Reno, Nevada.

5. On or about July of 2009, and continuing up to at least May 11, 2012, VARCOSE and GRANT solicited and/or received an advance-fee for services in connection with a loan secured directly or collaterally by a lien on real property in violation of Section 10085.5(a) of the Code and Section 2945.4 of the California Civil Code, including but not limited to real property commonly known as: 2450 Lymberry St., #212, Reno, Nevada.

CONCLUSIONS OF LAW

Based on the findings of fact contained in paragraphs 1 through 5, VARCOSE and GRANT among other things, solicited and/or performed services for borrowers and/or lenders, including but not limited to soliciting borrowers or lenders for, negotiating loans, and/or collecting payments and claiming, demanding, charging, receiving, collecting, or contracting for an advance fee for such services. Thus, VARCOSE and GRANT violated Section 10085.5 (a) (Payment of Advanced Fee), Section 10130 (Act as Real Estate Salesperson or Broker Without a

License) and 10131(d) (Engaged in Mortgage Loan Activities) of the Code and Section 2945.4. (Prohibition Against Charging Advance Fees) of the California Civil Code

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, VARCOSE MARKETING, LLC, and CARTER BRASURE GRANT whether doing business under their own name, or any other name or fictitious name, IS HEREBY ORDERED to:

Immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required until VARCOSE MARKETING, LLC, and CARTER BRASURE GRANT are properly licensed. In particular each of you are ORDERED TO DESIST AND REFRAIN from:

1. Charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the services you offer to others, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you are properly licensed by the Department as a real estate broker or corporate real estate broker, and that VARCOSE MARKETING, LLC, and CARTER BRASURE GRANT:

(A) Have an advance fee agreement which has been submitted to the Department and which is in compliance with Sections 2970 and 2972 of the Regulations;

(B) Have placed all previously collected advance fees into a trust account for that purpose and are in compliance with Section 10146 of the Code;

(C) Have provided an accounting to trust fund owner-beneficiaries pursuant to Section 2972 of the Regulations; and

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(D) Are in compliance with California law, as amended effective as of October 11, 2009, with respect to loan modification and/or forbearance services. Under the amended law, you can only collect advance fees for loan modification or other mortgage loan forbearance services related to commercial loans and loans for residential properties containing five or more dwelling units.

2. Immediately desist and refrain from demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units.

DATED: 6/15/2012

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

-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)...."

cc: VARCOSE MARKETING, LLC
Agent for service of Process:

CARTER BRASURE GRANT
507-30th Street
Newport Beach, CA 92663

Alternate address for GRANT:
6440 E. Hollyoak Ridge
Orange, CA 92867

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507-30 Street Street
Newport Beach, CA 92663

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ATTY RKU/ga