

1 Department of Real Estate  
2 P.O. Box 187007  
3 Sacramento, CA 95818-7007  
4  
5 Telephone: (916) 227-0789  
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FILED

AUG 13 2008

DEPARTMENT OF REAL ESTATE  
By *[Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \*

11 To:

12 APEX FINANCIAL GROUP,  
13 a California Corporation,  
14 RICHARD JOHN GONZALES, and  
15 DONNA G. DEMAREST

No. H-5049 SAC

ORDER TO  
DESIST AND REFRAIN

16 The Real Estate Commissioner ("Commissioner") of the  
17 State of California Department of Real Estate ("Department") has  
18 caused an investigation to be made of your activities including  
19 engaging in the business of, acting in the capacity of,  
20 advertising, or assuming to act as a real estate broker in the  
21 State of California within the meaning of Section 10131(d) of  
22 the Code. Based upon the findings of that investigation, as set  
23 forth below, the Commissioner has determined, and is of the  
24 opinion that APEX FINANCIAL GROUP ("APEX") and RICHARD JOHN  
25 GONZALES ("GONZALES") have employed and/or compensated one or  
26 more unlicensed persons to act in the capacity of a real estate

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1 broker or salesperson in violation of Section 10137 of the  
2 California Business & Professions Code.

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4 From approximately August 2005 through September 2007,  
5 APEX and GONZALES employed and/or compensated DONNA G. DEMAREST  
6 ("DEMAREST") for performing acts which require a real estate  
7 license pursuant to Section 10131(d) of the Code.

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9 On the approximate dates set out below, DEMAREST  
10 solicited and performed services for borrowers and/or lenders on  
11 behalf of APEX in connection with negotiating loans for  
12 borrowers, including the loan transactions set out below, for or  
13 in expectation of compensation:

<u>Date</u>	<u>Borrower</u>	<u>Loan Amount</u>	<u>Security</u>
15 8-17-05	Chestine	\$166,000	719 E. Banbury Dr., Stockton
16 10-5-05	Griggs	\$248,000	605 Paloma, Stockton
17 10-6-05	Bustos	\$276,000	8312 N. Eldorado, Stockton
18 12-6-05	Ball	\$55,000	16014 Washoan, Apple Valley
19 5-8-06	Ball	\$168,000	16014 Washoan, Apple Valley
20 11-30-06	Bygoytia	\$188,080	807 Bryan, Stockton
21 5-11-07	Chestine	\$234,000	719 E. Banbury Dr., Stockton
22 8-29-07	Garcia	\$178,000	822 S. Monroe, Stockton
23 9-14-07	Chestine	\$105,500	2317 Finland, Stockton

24 NOW, THEREFORE YOU, APEX FINANCIAL GROUP, AND YOU,  
25 RICHARD JOHN GONZALES, ARE ORDERED TO DESIST AND REFRAIN from  
26 employing and/or compensating any person for performing any acts  
27 which require a real estate license within the State of

1 California unless and until that person has obtained from the  
2 Department a real estate broker or real estate salesperson  
3 license.

4 AND YOU, DONNA G. DEMAREST, ARE ORDERED TO DESIST AND  
5 REFRAIN from performing any acts which require a real estate  
6 license within the State of California unless and until you have  
7 obtained from the Department a real estate broker or real estate  
8 salesperson license.

9 DATED: 8/13/08

10 JEFF DAVI  
11 Real Estate Commissioner

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14 CC: RICHARD JOHN GONZALES  
15 APEX FINANCIAL GROUP  
16 2027 W. MARCH LANE SUITE 5  
STOCKTON, CA 95207

BY: Barbara J. Bigby  
Chief Deputy Commissioner

17 DONNA G. DEMAREST  
18 P. O. BOX 4058  
STOCKTON, CA 95204-0058

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