

1 Department of Real Estate
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3 Sacramento, CA 95818-7000
4
5 Telephone: (916) 227-0789
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FILED
OCT - 3 2002

DEPARTMENT OF REAL ESTATE

By *Marie L. [Signature]*

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 TO:) No. H-8204 SF
12 TY KEITH EBRIGHT, individually) ORDER TO DESIST AND REFRAIN
13 and doing business as) (B&P Code Section 10086)
14 Monterey Bay Resources)
15)
16)

15 The Real Estate Commissioner of the State of
16 California (hereinafter "Commissioner") has determined from
17 evidence available to the Department of Real Estate (hereinafter
18 "the Department") that you, TY KEITH EBRIGHT, individually and
19 doing business as Monterey Bay Resources (hereinafter "you"),
20 while engaged in activities which require a real estate broker
21 license under the provisions of Sections 10131(d) and 10131.1 of
22 the California Business and Professions Code (hereinafter "the
23 Code"), violated Sections 10145(b) and 10234 of the Code.

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I

At all times herein mentioned, you were and now are licensed by the Department of Real Estate of the State of California (hereinafter "the Department") as a real estate broker.

II

At all times herein mentioned, you, and each of you, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the State of California within the meaning of:

(a) Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage business with the public wherein, on behalf of others, for compensation or in expectation of compensation, you solicited lenders and borrowers for loans secured directly or collaterally by liens on real property, and wherein you arranged, negotiated, processed, and consummated such loans; and

(b) Section 10131.1 of the Code, wherein you engaged as a principal in the business of buying from, selling to, or exchanging with the public, promissory notes secured directly or collaterally by liens on real property.

III

Between January 1, 2000 and June 30, 2001, in course of your activities as a real estate broker, as described in Paragraph II(a), above, you violated Section 10234 of the Code by causing deeds of trust securing mortgage loans negotiated and
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1 arranged by you to be recorded in your name as beneficiary and
2 not in the name of the lenders as beneficiaries.

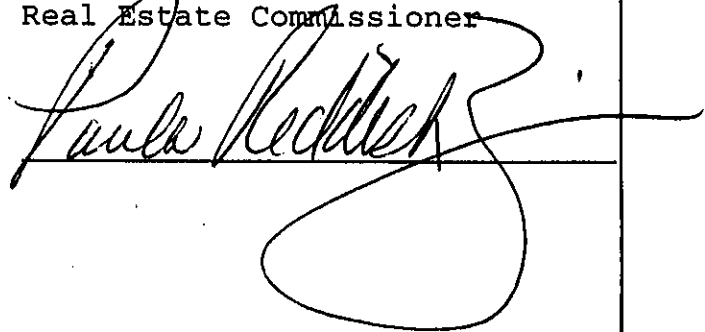
3 IV

4 Between January 1, 2000 and June 30, 2001, while
5 acting as a principal pursuant to Section 10131.1 of the Code,
6 as described in Paragraph II(b), above, in selling your
7 fractional interest in a promissory note secured by a trust deed
8 on real property, you violated Section 10145(b) of the Code by
9 failing to place funds received from another for the purchase of
10 such fractional interest into a neutral escrow depository, even
11 though you had not delivered such fractional interest to the
12 purchaser prior to or simultaneously with the receipt of such
13 funds.

14 NOW, THEREFORE, YOU, AND YOUR AGENTS AND EMPLOYEES,
15 ARE HEREBY ORDERED TO DESIST AND REFRAIN from performing any
16 activities for which a real estate license is required under
17 Sections 10131(d) or 10131.1 of the Code unless you comply with
18 Sections 10145(b) and 10234 of the Code.

19 DATED: September 25, 2002

20 PAULA REDDISH ZINNEMANN
21 Real Estate Commissioner

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23

24 cc: TY KEITH EBRIGHT
25 2715 PORTER, #207
26 SOQUEL, CA 95073
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