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FILED

JUL 31 2009

DEPARTMENT OF REAL ESTATE

BY: [Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 To:)	No. H-36150 LA
)	
12 AMERIGE MORTGAGE CORPORATION,)	
13 and SON THANH LE, indivi-)	
14 dually, and as designated)	<u>ORDER TO DESIST</u>
15 officer for Amerige Mortgage)	<u>AND REFRAIN</u>
16 Corporation,)	(B&P Code Section 10086)
)	
)	

17 The Commissioner ("Commissioner") of the California
18 Department of Real Estate ("Department") caused an investigation
19 to be made of the activities of AMERIGE MORTGAGE CORPORATION
20 (hereinafter referred to as "AMERIGE"), and SON THANH LE
21 (hereinafter referred to as "LE"), individually, and as
22 designated officer of AMERIGE. Based on that investigation the
23 Commissioner has determined that AMERIGE and LE have engaged in
24 or are engaging in activities which constitute violations of the
25 California Business and Professions Code ("Code") and/or Title
26 10, California Code of Regulations ("Regulations"), including
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1 engaging in the business of charging, receiving, collecting or
2 contracting for the performance of loan modification services
3 with respect to loans which are secured by liens on real property
4 in exchange for the payment of an advance fee. Furthermore,
5 based on the investigation, the Commissioner hereby issues the
6 following Findings of Fact, Conclusions of Law, and Desist and
7 Refrain Order under the authority of Section 10086 of the Code.

8 FINDINGS OF FACT

9 1. AMERIGE is presently licensed and/or has license
10 rights under the Real Estate Law (Part 1 of Division 4 of the
11 Business and Professions Code, hereinafter "Code"), as a real
12 estate corporation acting by and through LE as its designated
13 broker-officer. On or about February 5, 2009, the corporate
14 license of AMERIGE expired. The corporate powers of AMERIGE have
15 been suspended by the California Secretary of State.

16 2. LE is presently licensed and/or has license rights
17 under the Real Estate Law as a real estate broker and from
18 February 5, 2005 to February 4, 2009, was the designated broker-
19 officer of AMERIGE.

20 3. AMERIGE and LE engaged in the business of claiming,
21 demanding, charging, receiving, collecting or contracting for the
22 collection of an advance fee, including but not limited to the
23 activities described in Paragraph 4, below.

24 4. On or about December 3, 2007, AMERIGE and LE
25 collected an advance fee of \$800 from Jasmin Laguna ("Laguna")
26 pursuant to the provisions of a written agreement pertaining to
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1 loan modification services to be provided with respect to a loan
2 secured by the real property located at 14450 Clemson Court,
3 Adelanto, California 92301. AMERIGE and LE failed to provide
4 Laguna with loan modification services, or any services
5 whatsoever, in exchange for her advance fee payment.

6 5. AMERIGE and LE collected the above described advance
7 fee pursuant to the provisions of a document entitled
8 "Residential Loan Modification Agreement," the written agreement
9 described in Paragraph 4, above.

10 6. AMERIGE and LE failed to submit the advance fee
11 agreement referred to in Paragraphs 4 and 5, above, to the
12 Commissioner ten days before using it.

13 CONCLUSIONS OF LAW

14 7. Based on the information contained in Paragraphs 4
15 and 5, above, the "Residential Loan Modification Agreement"
16 constitutes an advance fee agreement within the meaning of Code
17 Section 10026.

18 8. Based on the information contained in Paragraphs 4-
19 6, above, the failure by AMERIGE and LE to submit the advance
20 fee agreement to the Commissioner ten days before using it
21 constitutes a violation of Code Section 10085 and Section 2970
22 of the Regulations.
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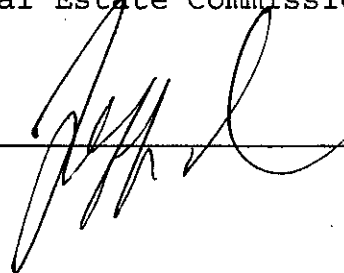
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DESIST AND REFRAIN ORDER

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2 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW
3 stated herein, it is hereby ordered that AMERIGE MORTGAGE
4 CORPORATION and SON THANH LE immediately desist and refrain from
5 collecting advance fees, as that term is defined in Section 10026
6 of the Code, in any form and particularly with respect to loan
7 modification, loan refinance, principal reduction, foreclosure
8 abatement or short sale services, unless and until they
9 demonstrate and provide evidence satisfactory to the Commissioner
10 that AMERIGE MORTGAGE CORPORATION and SON THANH LE have submitted
11 an advance fee agreement to the Commissioner in compliance with
12 Code Section 10085 and Section 2970 of the Regulations
13

14 DATED: July 28, 2009.

15
16 JEFF DAVI
17 Real Estate Commissioner
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24 cc: Amerige Mortgage Corporation
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