

**FILED**

**NOV 05 2021**

**BUREAU OF REAL ESTATE**

By 

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BEFORE THE DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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In the Matter of the Accusation Against  
  
JASON WESLEY CHRISTIANSEN  
doing business as Christiansen Capital,  
  
Respondent.

No. H-42117 LA  
  
ACCUSATION

The Complainant, Ruth Corral, a Supervising Special Investigator of the State of California, for cause of Accusation against JASON WESLEY CHRISTIANSEN, doing business as Christiansen Capital (sometimes referred to as "Respondent") alleges as follows:

1.

The Complainant, Ruth Corral, a Supervising Special Investigator of the State of California, makes this Accusation in her official capacity.

2.

All references to the "Code" are to the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, of the California Code of Regulations.

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1 LICENSE HISTORY

2 3.

3 a. Respondent is presently licensed and/or has license rights under the Code, as a real  
4 estate broker, Department of Real Estate ("Department") license ID 01465319.

5 b. Respondent's broker license was originally issued on November 15, 2010, and is  
6 scheduled to expire on November 14, 2022, unless renewed.

7 c. Respondent currently holds an individual Mortgage Loan Originator ("MLO")  
8 license endorsement with the Department with National Mortgage Licensing System ("NMLS") ID  
9 269373. Respondent, as a sole proprietor, also holds a company MLO endorsement with NMLS ID  
10 385686.

11 d. Currently, Respondent is authorized by the Department to use the fictitious business  
12 names Christiansen Capital, Christiansen Capital Investment Group, Christiansen Management,  
13 Temecula Valley Property Management, and www.CAHardMoneyNow.com.

14 e. Since November 21, 2019, Respondent has been the responsible broker for broker-  
15 associate George Allen Kengott ("Kengott"). Kengott is licensed as a real estate broker with  
16 Department ID 00919936.

17 CAUSE FOR ACCUSATION

18 4.

19 At all times relevant herein, Respondent engaged in the business of, acted in the  
20 capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code section  
21 10131(d), for or in expectation of compensation, by soliciting borrowers or lenders for or negotiating  
22 loans or performing services for borrowers or lenders in connection with loans secured directly or  
23 collaterally by liens on real property (mortgage loan origination).

24 5.

25 At all times relevant herein, Respondent engaged in the business of, acted in the  
26 capacity of, advertised or assumed to act as a mortgage loan originator, within the meaning of Code  
27 section 10166.01.

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1 6.

2 Whenever acts referred to below are attributed to Respondent those acts are alleged to  
3 have been done by Respondent or by and/or through one or more agents, associates, affiliates, and/or  
4 co-conspirators.

5 7.

6 On or about August 11, 2020, the Department discovered an online advertisement at  
7 <http://cahardmoneynow.com> (“website”) soliciting borrowers for residential hard money and  
8 commercial private money loans. For more information on services, the website provided the name of  
9 Kengott and a telephone number. As part of the Department’s investigation, a Department special  
10 investigator spoke to Respondent concerning the real estate activities conducted by Respondent and  
11 his employees, specifically broker-associate Kengott. The Department requested and Respondent  
12 produced three (3) mortgage loan transaction files for review.

13 (KEENAN AVENUE LOAN)

14 8.

15 On or about June 2, 2020, borrower G.M.<sup>1</sup> executed a Uniform Residential Loan  
16 Application (“RLA”) for the residential property located at 573 Keenan Avenue, Los Angeles,  
17 California (“Keenan Avenue Property”). Respondent is listed on the RLA as the interviewer who  
18 obtained and completed the information contained in the RLA. The loan closed on or about June 12,  
19 2020, with three (3) private lenders.

20 9.

21 The examination of the transaction file for the Keenan Avenue Property revealed  
22 violations of the Code, as set forth in the following paragraphs:

23 (a) Lender/Purchaser Disclosure Statement (Code section 10232.4). The  
24 Lender/Purchaser Disclosure Statement in Respondent’s transaction file for the Keenan Avenue  
25 property was incomplete and not signed by the three (3) investors in violation of Code section  
26 10232.4.

27 \_\_\_\_\_  
28 <sup>1</sup> Initials are used in place of individual’s full name to protect their privacy.

1 (b) Investor Questionnaire/Suitability (Code section 10232.45). The transaction file for  
2 the Keenan Avenue property did not have an investor questionnaire for any of the investors in  
3 violation of Code section 10232.45.

4 (c) Investor Qualification Statement (Code section 10238(f)(1)). Respondent failed to  
5 retain an investor qualification statement for any of the investors for the Keenan Avenue property in  
6 violation of Code section 10238(f)(1).

7 (d) Applicable Law Disclosure (Code section 10236.7). Respondent failed to clearly  
8 indicate in Respondent's transaction file the provision(s) of the Code pertaining to qualification or  
9 exemption from qualification under which the transaction is being conducted in violation of Code  
10 section 10236.7.

11 (TRIBECA LANE LOAN)

12 10.

13 On or about August 10, 2020, borrower M.A. executed an RLA for the residential  
14 property located at 35304 Tribeca Lane, Cathedral City, California ("Tribeca Lane Property").  
15 Respondent is listed as the interviewer in the RLA who obtained and completed the information  
16 contained in the RLA. The loan closed on or about August 24, 2020, with one (1) private lender.

17 11.

18 The examination of the transaction file for the Tribeca Lane Property revealed  
19 violations of the Code, as set forth in the following paragraphs:

20 (a) Lender/Purchaser Disclosure Statement (Code section 10232.4). The  
21 Lender/Purchaser Disclosure Statement in Respondent's transaction file for the Tribeca Lane  
22 Property was incomplete and not signed by the investors in violation of Code section 10232.4.

23 (b) Investor Questionnaire/Suitability (Code section 10232.45). The transaction file for  
24 the Tribeca Lane Property did not have an investor questionnaire for the investor in violation of Code  
25 section 10232.45.

26 (c) Investor Qualification Statement (Code section 10238(f)(1)). Respondent failed to  
27 retain an investor qualification statement for the investor for the Tribeca Lane Property in violation of  
28 Code section 10238(f)(1).

(GALILEO LANE LOAN)

12.

On or about August 8, 2020, borrower T.W. executed an RLA for the residential property located at 37209 Galileo Lane, Murrieta, California ("Galileo Lane Property"). Respondent is not listed as the interviewer in the RLA. Instead, licensed real estate broker Sapan Vig is listed as the interviewer in the RLA. The Addendum to Promissory Note in the transaction file, however, listed Respondent as the broker who arranged the loan. The loan closed on or about August 31, 2020, with one (1) private lender.

13.

The examination of the transaction file for the Galileo Lane Property revealed violations of the Code, as set forth in the following paragraphs:

(a) Lender/Purchaser Disclosure Statement (Code section 10232.4). The Lender/Purchaser Disclosure Statement in Respondent's transaction file for the Galileo Lane Property was incomplete and not signed by the investors in violation of Code section 10232.4.

(b) Investor Questionnaire/Suitability (Code section 10232.45). The transaction file for the Galileo Lane Property did not have an investor questionnaire for the investor in violation of Code section 10232.45.

(c) Investor Qualification Statement (Code section 10238(f)(1)). Respondent failed to retain an investor qualification statement for the investor for the Galileo Lane Property in violation of Code section 10238(f)(1).

(NOTIFICATION AND ACTIVITY REPORTING)

14.

Based on the transaction files reviewed by the Department above, Respondent failed to timely complete and submit the following required notifications and reports to the Department:

(a) Respondent failed to notify the Department of his private money loan activity in violation of Code section 10232.

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1 (b) Respondent failed to provide quarterly, non-accountability threshold reports  
2 attesting to the fact that Respondent did not receive any trust funds in cash or convertible to cash  
3 during the fiscal quarter in violation of Code section 10232.25(d).

4 (c) Respondent failed to submit a Trust Fund Non-Accountability Report for the fiscal  
5 year ending December 31, 2020, which was required to be filed with the Department no later than  
6 January 31, 2021, after the end of Respondent's fiscal year in violation of Code section 10232.2(b).

7 (d) Respondent failed to notify the Department upon Respondent arranging the first  
8 multi-lender loan transaction in violation of Code section 10238.

9 (e) Respondent failed to file an annual Business Activity Report for, at a minimum,  
10 the fiscal year ending on December 31, 2020, which was to be filed with the Department within  
11 ninety (90) days after the end of Respondent's fiscal year.

12 15.

13 Each of the foregoing violations in Paragraphs 8 through 14, above, constitute cause  
14 for the suspension or revocation of Respondent's real estate licenses, MLO license endorsements, and  
15 license rights pursuant to the provisions of Code sections 10166.051(a)-(b), 10177(d) and/or  
16 10177(g).

17 (INVESTIGATION AND ENFORCEMENT COSTS)

18 16.

19 Section 10106 of the Code, provides, in pertinent part, that in any order issued in  
20 resolution of a disciplinary proceeding before the Department, the Commissioner may request the  
21 administrative law judge to direct a licensee found to have committed a violation of this part to pay a  
22 sum not to exceed the reasonable costs of investigation and enforcement of the case.

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1 WHEREFORE, Complainant prays that a hearing be conducted on the allegations of  
2 this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action  
3 against all the licenses, endorsements, and/or license rights of Respondent JASON WESLEY  
4 CHRISTIANSEN under the Real Estate Law, for the costs of investigation and enforcement as  
5 permitted by law, and for such other and further relief as may be proper under other applicable  
6 provisions of law.

7 Dated at Sacramento, California this 3rd day of November, 2021.

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11 Ruth Corral  
12 Supervising Special Investigator  
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25 cc: JASON WESLEY CHRISTIANSEN  
26 Ruth Corral  
27 Sacto.  
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