DEPARTMENT OF REAL ESTATE
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FILED

FEB 22 2013

DEPARTMENT OF REAL ESTATE

By D. Contreras

BEFORE THE

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

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|---|---|
| TO: | |
| CHRISTINE M. PAPWORTH | NO. H-2808 FR |
| | ORDER TO DESIST AND REFRAIN (B & P Code Section 10086) |

The Real Estate Commissioner (Commissioner) of the California Department of Real Estate (Department) has caused an investigation to be made of the activities of CHRISTINE M. PAPWORTH (PAPWORTH). Based on that investigation, the Commissioner has determined that PAPWORTH has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code) in that she has violated Sections 10085 (advance fee materials), 10085.5 and 10085.6 (collecting advance fees), 10176(i) (fraud or dishonest dealing), 10145 (trust fund handling), and/or 10177(g) (negligence), and/or 10177(j) (fraud or dishonest dealing) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to PAPWORTH those acts are alleged to have been done by PAPWORTH acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, known or unknown.

FINDINGS OF FACT

1. PAPWORTH has been licensed by the Department as a real estate broker since July 19, 1990; said license will expire July 14, 2014.

2. Between about May 6, 2009 and about June 3, 2010, Respondent demanded and collected advance fees for services in connection with loans secured directly or collaterally by one or more liens on real property and/or as a short sale negotiator from the following homeowners prior to submitting an advance fee agreement for review by the Commissioner and failed to maintain a record of, or account for, said advance fees, in violation of Sections 10085, 10085.5 and 10085.6, 10176(i), 10145, and/or 10177(g) and/or 10177(j) of the Code.

| Owner | Property Address | Dates | Amount Collected |
|---|---|---|---|
| Oscar V. | Stanislaus St. Riverbank, CA | 5/6/09 | $ 18.50 |
| | | 5/16/09 | $ 700.00 |
| | | 6/2/09 | $ 700.00 |
| | | 7/2/09 | $ 700.00 |
| Roger C. | Intrigue Lane Manteca, CA | 5/3/10 | $2,000.00 |
| | | 6/3/10 | $1,500.00 |

CONCLUSIONS OF LAW

Based on the Findings of Fact contained in Paragraphs 1 and 2, PAPWORTH acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators performed services for borrowers in connection with loans secured directly or collaterally by one or more liens on real property and/or as a short sale negotiator and charged, demanded or collected advance fees for said services, in violation of Sections 10085, 10085.5 and 10085.6, 10176(i), 10145, and/or 10177(g) and/or 10177(j) of the Code.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, PAPWORTH, whether doing business under her own name, or any other names or fictitious names, IS HEREBY ORDERED TO IMMEDIATELY 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, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6); and,

2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by her to others.

DATED: October 25, 2012

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

**-NOTICE-**

Business and Professions Code Section 10085.6(b) provides that "A violation of this section by a natural person who is a licensee is a public offense punishable by a fine not exceeding ten thousand dollars ($10,000), by imprisonment in the county jail for a term not to exceed one year, or by both that fine and imprisonment, or if by a corporation, the violation is punishable by a fine not exceeding fifty thousand dollars ($50,000). These penalties are cumulative to any other remedies or penalties provided by law."

cc: CHRISTINE M. PAPWORTH
3555 Deer Park Drive, Suite 160
Stockton, CA 95219; and,
18496 E. Munro Ave.
Stockton, CA 95215

ATTY MFC/kc