

FILED

JAN 13 2009

DEPARTMENT OF REAL ESTATE

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

To:

PEOPLES FIRST FINANCIAL INC. doing
business as PEOPLES FIRST FINANCIAL
and PEOPLES FIRST FINANCIAL
SERVICES.

No. H-3896 SD

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

The Real Estate Commissioner of the State of California has caused an investigation to be conducted and is of the opinion that you PEOPLES FIRST FINANCIAL INC. doing business as PEOPLES FIRST FINANCIAL and PEOPLES FIRST FINANCIAL SERVICES (hereinafter collectively referred to as "you") have violated Section 10085 of the Business and Professions Code (hereinafter "the Code") and Sections 2740 and 2970 of Title 10 of the California Code of Regulations (hereinafter "the Regulations") in conjunction with Section 10177(d) of the Code.

1

At all times mentioned, you were licensed by the Department of Real Estate of the State of California (hereinafter "the Department") as a corporate real estate broker. At no time

///

1 after July 14, 2008 were you associated with a designated officer-broker to qualify you to act as
2 a real estate broker.

3 2

4 At all times herein mentioned, you engaged in the business of, acted in the
5 capacity of, advertised, or assumed to act as real estate broker in the State of California, within
6 the meaning of Section 10131(d) of the Code, including the operation and conduct of a mortgage
7 loan brokerage business with the public wherein you, for or in expectation of compensation, for
8 another or others, solicited lenders and borrowers and/or performed services for borrowers or
9 lenders or note owners for loans secured directly or collaterally by liens on real property.

10 3

11 On or about October 9, 2008, in connection with the real estate activities
12 described in Paragraph 2, you, claimed, demanded, charged, received, collected, and contracted
13 for a fee of at least \$500 in advance from Victor Clawson, the owner of real property commonly
14 known as 2430 Midden Way, Sacramento, California (hereinafter "the Subject Property"), for
15 services you were to perform thereafter in obtaining a modification of loan terms for the loan(s)
16 secured by the Subject Property.

17 4

18 The fee described in Paragraph 3 above constituted an "advance fee" within the
19 meaning of Sections 10026 and 10131.2 of the Code.

20 5

21 In connection with the collection and handling of said advance fee, you failed to
22 cause the advance fee contract and all materials used in obtaining the advance fee agreement to
23 be submitted to the Department of Real Estate prior to use.

24 6

25 Your acts and omissions described in Paragraphs 3 through 5 violated Section
26 10085 of the Code and Section 2970 of the Regulations.

27 ///

Your acts and omissions described in Paragraph 3 violated Section 2740 of the Regulations in conjunction with Section 10177(d) of the Code.

NOW, THEREFORE, YOU ARE HEREBY ORDERED TO DESIST AND REFRAIN from performing any and all acts within the State of California for which a real estate broker license is required, within the meaning of Code Section 10131 unless and until you are in compliance with Section 10085 of the Code and Sections 2740 and 2970 of the Regulations.

DATED: 1-7-09

JEFF DAVI
Real Estate Commissioner



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27