DEPARTMENT OF REAL ESTATE
P. O. Box 187007
Sacramento, CA 95818-7007

Telephone: (916) 227-0789

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DEPARTMENT OF REAL ESTATE
By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To: COASTAL HOME RESCUE, JONATHAN RYAN OWENS and MARISA MORIS	NO. H-4246 SD ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (hereinafter "Commissioner") of the California Department of Real Estate (hereinafter "Department") caused an investigation to be made of the activities of COASTAL HOME RESCUE (hereinafter "COASTAL"), JONATHAN RYAN OWENS (hereinafter "OWENS") and MARISA MORIS (hereinafter "MORIS"). Based on that investigation, the Commissioner has determined that COASTAL, OWENS AND MORIS engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (hereinafter "the Code") and/or title 10, chapter 6, California Code of Regulations (hereinafter "the Regulations"), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of section 10131(d) (performing services for borrowers and/or lenders in connection with loans secured by real property) 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 OWENS and/or MORIS, those acts are alleged to have been done by OWENS and/or MORIS, acting by himself and/or herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the name "COASTAL HOME RESCUE", or other names or fictitious names unknown at this time (collectively referred to as "the related entities").

FINDINGS OF FACT

1. At all times relevant herein, OWENS was and is licensed by the Department as a real estate salesperson. At no time herein mentioned was OWENS licensed as a real estate broker.

2. At not time herein mentioned has MORIS been licensed by the Department in any capacity.

3. At no time herein mentioned has COASTAL been licensed by the Department in any capacity.

4. During the period of time set forth below, COASTAL, acting by and through OWENS, MORIS and/or other agents, associates, affiliates and/or co-conspirators, solicited one or more borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection with loans secured directly or collaterally by one or more liens on real property; and charge, demand or collect an advance fee for any of the services offered.

5. COASTAL solicits homeowners for loan modification services on their website, www.armandgilbert.com/coastalhomerescue. As described on the website, COASTAL claims they specialize in helping their clients avoid foreclosure proceedings and helping customers get the loan modification they are entitled to.

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6. On or about October 14, 2008, MORIS solicited Frank P. and Gloria P. (hereinafter "Frank and Gloria") in order to provide them with loan modification services.

7. In furtherance of the related entities' plan and scheme to provide loan modification services to Frank and Gloria, OWENS AND MORIS requested an advance fee of $2,995.00 from Frank and Gloria. In reliance on the representations of OWENS AND MORIS, Frank and Gloria issued a check to COASTAL in the amount of $2,995.00.

8. After Frank and Gloria delivered the check mentioned above to COASTAL, Frank and Gloria did not obtain a successful and sustainable loan modification, obtain any other benefit from either OWENS, MORIS or COASTAL, or from anyone connected in any way with COASTAL, or any of the related entities, or receive a refund of the amount Frank and Gloria paid to COASTAL.

CONCLUSIONS OF LAW

9. Based on the findings of fact contained in paragraphs 1 through 8, OWENS, MORIS and COASTAL, solicited borrowers and represented that they would perform services for those borrowers and/or the borrowers' lender in connection with one or more loans secured directly or collaterally by one or more liens on real property; and charged, demanded or collected an advance fee for the services to be provided, which acts require a real estate broker license under sections 10131(d) (performing services for borrowers and/or lenders in connection with loans secured by real property) and 10131.2 (claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with any employment undertaken to obtain a loan secured by real property) of the Code, all in violation of sections 10130 (it is unlawful for any person to act as a real estate broker within this state without first obtaining a real estate license from the Department) and 10139 (any person acting as a real estate broker without a license or who advertises using words indicating that he is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment) of the Code.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you, COASTAL HOME RESCUE, JONATHAN RYAN OWNES and MARISA MORIS, whether doing business under your own name, or any other name or fictitious name, ARE HEREBY ORDERED to:

1. Immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required; and,

2. Immediately desist and refrain from 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).

DATED: 10/13/11

BARBARA J. BIGBY
Acting Real Estate Commissioner

-NOTICE-

Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000)."

cc: Coastal Home Rescue
315 W. Coast Highway 101, Ste. W
Encinitas, CA 92024

Jonathan Ryan Owens
1042 N. El Camino Real, #B196
Encinitas, CA 92024

Jonathan Ryan Owens
5055 Avenida Encinas, #240 or #210
Carlsbad, CA 92008

Jonathan Ryan Owens
315 W. Coast Highway 101, Ste. W
Encinitas, CA 92024

Marisa Moris
1902 Wright Place
Carlsbad, CA 92011

Marisa Moris
315 W. Coast Highway 101, Ste. W
Encinitas, CA 92024