

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916)-227-1126

FILED

APR 23 2009

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 TO:

12 AMERICAN RIVER REAL ESTATE, INC.,)
13 a Corporation,)
14 SCOTT WOODS, and)
15 LOUIS MASER.)

NO. H- 5201 SAC

ORDER TO DESIST AND REFRAIN
(Bus. & Prof. Code § 10086)

16 The Real Estate Commissioner (hereinafter "Commissioner") of the State of
17 California has caused an investigation to be conducted into your activities and based upon the
18 findings set forth herein below, is of the opinion that you, AMERICAN RIVER REAL
19 ESTATE, INC., a Corporation doing business as Loan Redux, you, SCOTT WOODS, and you,
20 LOUIS MASER doing business as Diversified Realty, have violated Sections 10085 and
21 10085.5 of the California Business and Professions Code (hereinafter "the Code") by entering
22 into advanced fee agreements and attempting to claim, demand, charge, and/or collect advanced
23 fees prior to obligation for completion of a loan.

24 1

25 On about January 29, 2009, and following, you entered into advanced fee
26 agreements prior to submitting to the Department of Real Estate (hereinafter the "Department")
27 any or all materials used in advanced fee agreements, including but not limited to the contract

1 form, any letters or cards used to solicit prospective sellers, and radio and television advertising,
2 at least 10 calendar days before it was used in obtaining advance fee agreements, in violation of
3 Section of 10085 of the Code and Section 2970 of Title 10, Chapter 6 of the California Code of
4 Regulations (hereinafter "the Regulations").

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6 At all times herein mentioned, you claimed, demanded, charged, and/or collected
7 advanced fees for performing services in connection with a loan to be secured directly or
8 collaterally by a lien on real property before the borrower was obligated to complete the loan, in
9 violation of Section 10085.5 of the Code.

10 3

11 You, AMERICAN RIVER REAL ESTATE, INC., you, SCOTT WOODS, and
12 you, LOUIS MASER, have violated Sections 10085 and 10085.5 of the Code by engaging in the
13 activities described in Paragraphs 1 and 2, above, without first submitting advanced fee
14 materials for approval to the Department as required by Section 10085 of the Code and for
15 claiming, demanding, charging, and/or collecting advanced fees prior to a borrower's obligation
16 to complete a loan, in violation of Section 10085.5 of the Code.

17 NOW, THEREFORE, YOU, AMERICAN RIVER REAL ESTATE, INC., ITS
18 DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS; YOU, SCOTT WOODS; AND
19 YOU, LOUIS MASER ARE HEREBY ORDERED TO DESIST AND REFRAIN from entering
20 into any and all advanced fee agreements until such time as you submit to the Department, for
21 approval, all advanced fee materials used in advanced fee agreements, including but not limited
22 to the contract form, any letters or cards used to solicit prospective sellers, and radio and
23 television advertising, at least 10 calendar days before using them to obtain advance fee
24 agreements, and from claiming, demanding, charging, and/or collecting advanced fees before a
25 borrower is obligated to complete a loan.

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1 YOU, AMERICAN RIVER REAL ESTATE, INC., ITS DIRECTORS,
2 OFFICERS, EMPLOYEES AND AGENTS, YOU, SCOTT WOODS, AND YOU LOUIS
3 MASER ARE HEREBY PROHIBITED from collecting further advance fees until you provide
4 evidence that you have placed all previously collected advance fees into a trust account and have
5 provided an accounting to your principals pursuant to Section 2971 of the Regulations.

6
7 DATED: 4/13, 2009

8
9 JEFF DAVI
 Real Estate Commissioner

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12
13 BY: Barbara J. Bigby
 Chief Deputy Commissioner

14
15 cc: AMERICAN RIVER REAL ESTATE, INC.

16 ATTN: SCOTT WOODS
17 9580 Oak Avenue Parkway
18 Suite 14
 Folsom, CA 95630

19 SCOTT WOODS
20 9580 Oak Avenue Parkway
21 Suite 14
 Folsom, CA 95630

22 LOUIS MASER
23 400 - 12th Street
 Suite 27
 Modesto, CA 95307

24 LOUIS MASER
25 P. O. Box 579937
26 Modesto, CA 95355

27 Y MFC/kc