FILED

NOV 19 2009

DEPARTMENT OF REAL ESTATE

By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Order to Desist and Refrain LOAN REVIEW, INC., JOHN ALVIN BOHL III, CORY THOUREN, and RESOLUTION MORTGAGE GROUP, Respondents.	No. H-5254 SAC

ORDER ACCEPTING VOLUNTARY SURRENDER OF REAL ESTATE LICENSE

On August 6, 2009, an Order to Desist and Refrain was filed in this matter against Respondents LOAN REVIEW, INC., JOHN ALVIN BOHL III, CORY THOUREN, and RESOLUTION MORTGAGE GROUP.

On September 30, 2009, Respondent LOAN REVIEW, INC. only petitioned the Commissioner to voluntarily surrender its corporate real estate license pursuant to Section 10100.2 of the Business and Professions Code.

IT IS HEREBY ORDERED that Respondent LOAN REVIEW, INC.'s petition for voluntary surrender of its corporate real estate license is accepted as of the effective date of this Order as set forth below, based upon the understanding and agreement expressed in

Respondent's Declaration dated September 30, 2009 (attached as Exhibit "A" hereto).

Respondent's license certificate, pocket card and any branch office license certificates shall be sent to the address listed below so that they reach the Department on or before the effective date of this Order:

Department of Real Estate
Atten: Licensing Flag Section
P.O. Box 187000
Sacramento, CA 95818-7000

This Order shall become effective at 12 o'clock noon on DEC 10 2009

DATED: 11-17-09

JEFF DAVI
Real Estate Commissioner

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

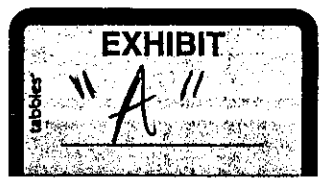
In the Matter of the Order to Desist and Refrain LOAN REVIEW, INC., JOHN ALVIN BOHL III, CORY THOUREN, and RESOLUTION MORTGAGE GROUP	No. H-5254 SAC

DECLARATION

My name is JOHN ALVIN BOHL III. I am currently licensed as a real estate broker and as the designated officer of LOAN REVIEW, INC. (hereinafter "LRI"). I am representing LRI in this matter.

In lieu of proceeding in this matter in accordance with the provisions of the Administrative Procedure Act (Sections 11400 et seq., of the Government Code), LRI wishes to voluntarily surrender its real estate license issued by the Department of Real Estate ("Department"), pursuant to Business and Professions Code Section 10100.2.

I understand that by so voluntarily surrendering the corporate licensed issued to LRI, the corporation may be relicensed as a corporate real estate broker only by petitioning for reinstatement pursuant to Section 11522 of the Government Code. I also understand that by so voluntarily surrendering the license of LRI, I agree to the following on behalf of LRI:



1. The filing of this Declaration shall be deemed as a petition for voluntary surrender.

2. It shall also be deemed to be an understanding and agreement by me, on behalf of LRI that LRI waives all rights it has to require the Commissioner to prove the allegations contained in the Accusation filed in this matter at a hearing held in accordance with the provisions of the Administrative Procedure Act (Government Code Sections 11400 et seq.), and that LRI also waives other rights afforded to it in connection with the hearing such as the right to discovery, the right to present evidence in defense of the allegations in the Accusation and the right to cross-examine witnesses.

3. I, on behalf of LRI, further agree that upon acceptance by the Commissioner, as evidenced by an appropriate order, all affidavits and all relevant evidence obtained by the Department in this matter prior to the Commissioner's acceptance, and all allegations contained in the D&R Order filed in the Department Case No. H-5254 SAC may be considered by the Department to be true and correct for the purpose of deciding whether to grant relicensure or reinstatement pursuant to Government Code Section 11522.

4. LRI freely and voluntarily surrenders all its licenses and license rights under the Real Estate Law.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed SEP 30 2009, at Sacramento, California.

JOHN ALVIN BOHL III
Designated Officer of Respondent
LOAN REVIEW INC.

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

Telephone: (916) 227-0789

FILED
AUG 6 2009
DEPARTMENT OF REAL ESTATE
By R. Henry

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To: LOAN REVIEW, INC., JOHN ALVIN BOHL III, CORY THOUREN, and RESOLUTION MORTGAGE GROUP	NO. H-5254 SAC ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of LOAN REVIEW, INC., (LRI), JOHN ALVIN BOHL III (BOHL), CORY THOUREN (THOUREN), and RESOLUTION MORTGAGE GROUP (RMG). Based on that investigation, the Commissioner has determined that LRI, BOHL, THOUREN, and RMG have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6, California Code of Regulations (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 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 LRI or RMG, those acts are alleged to have been done by BOHL and/or THOUREN, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to BOHL and/or THOUREN, and using the names "Loan Review, Inc.", "Resolution Mortgage Group", or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. LRI has been licensed by the Department as a corporate real estate broker since September 19, 2006, and its license expires on September 18, 2010. BOHL is licensed by the Department as the designated officer of LRI, and as an individual real estate broker. BOHL's real estate broker license expires on November 22, 2010.

2. THOUREN and RMG are not now, and have never been, licensed by the Department in any capacity.

3. Effective June 25, 2003, BOHL's real estate broker license was suspended for negligence and failure to supervise the licensed activities of RM Sterling Mortgage Services, Inc., the corporate real estate broker for whom BOHL then served as its designated officer.

4. On or about November 5, 2008, the Department issued a conditional "no objection" letter to LRI allowing LRI to charge and collect an "advance fee", as that term is defined in Section 10026 of the Code. LRI's advance fee agreement provided that it would charge the amount of $1,500 to perform services, which included analyzing its client's financial status, compiling documents and information needed to prepare a "loan modification package", submitting the package to the client's lender, and completing the process of obtaining a loan modification for its client. LRI's advance fee agreement provided that the advance fees collected from clients would be held in a LRI trust account; and that, if LRI could not obtain a loan modification for its client, all fees collected by LRI would be refunded to the client.

5. During the period of time set out below, BOHL and/or THOUREN, acting for or on behalf of LRI and/or RMG, solicited 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.

GLASGOW TRANSACTION

6. On approximately January 26, 2009, THOUREN solicited Brian Glasgow (Glasgow) in order to provide loan modification services to save Glasgow's home from being lost in foreclosure. THOUREN, acting for or on behalf of LRI and/or RMG, requested an advance fee of $2,500 from Glasgow. Glasgow agreed to pay the sum of $2,000 as an advance fee. THOUREN accepted that negotiated amount on behalf of LRI and/or RMG, and asked Glasgow to make his check(s) payable to RMG. THOUREN presented Glasgow with a nine page document entitled "FEE AGREEMENT FOR RESEARCH AND ANALYSIS" and a four page document entitled "ADVANCE FEE AGREEMENT", and asked Glasgow to give THOUREN a check for $2,000. In reliance on THOUREN's representations, on January 26, 2009, Glasgow delivered a check to THOUREN, payable to RMG, for $1,000 as part payment of the advance fee requested by THOUREN. On or about February 19, 2009, Glasgow delivered a second check for $1,000 payable to RMG as the final payment of the advance fee requested by THOUREN.

7. In connection with the Glasgow transaction, LRI was not authorized by the Department to collect an advance fee in excess of $1,500.00; and was not authorized to charge or collect an advance fee in any amount for or on behalf of RMG or any other entity or individual.

8. In April 2009, Glasgow was contacted by Dan Schramm, a representative of LRI and/or RMG, who requested that Glasgow submit duplicate copies of documents Glasgow had already given to THOUREN. Glasgow provided the documents requested by Schramm.

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9. In May 2009, Glasgow attempted to contact THOUREN and Schramm by phone to find out about the progress of his loan modification. The phone numbers for both THOUREN and Schramm were disconnected. Glasgow learned that LRI had abandoned its business office at 1011 Sunset Blvd. #116, Rocklin, CA.

10. On approximately June 8, 2009, Glasgow called his lender, Wachovia Bank, and inquired about the progress of his loan modification which Glasgow believed was being pursued by LRI and/or RMG. Glasgow was told that Wachovia Bank would not agree to modify Glasgow's loan through the efforts of LRI and/or RMG.

11. After speaking with a representative of Wachovia Bank, as mentioned above, Glasgow was able to locate the office of LRI, which had been moved to 1430 Blue Oaks Blvd. #250, Rocklin, CA, without notice to Glasgow. Glasgow went to LRI's office and spoke with Jason Moulton (Moulton), who identified himself to Glasgow as the owner of LRI. Glasgow demanded a refund of the $2,000 he had paid to RMG for the services THOUREN, LRI, and RMG had undertaken to perform, but failed to successfully complete. Glasgow was ultimately given a refund of only $1,000 by Moulton.

CONCLUSIONS OF LAW

Based on the findings of fact contained in paragraphs 1 through 11:

12. LRI, acting by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to THOUREN and RMG, and using the names "Loan Review, Inc.", "Resolution Mortgage Group", or other names or fictitious names unknown at this time, solicited borrowers and performed services for those borrowers and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license under Sections 10131(d) (real estate license required for enumerated acts) and 10131.2 (real estate broker license required to charge or collect an advance fee) of the Code.

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13. LRI, acting by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to THOUREN and RMG, and using the names "Loan Review, Inc.", "Resolution Mortgage Group", or other names or fictitious names unknown at this time, did the following acts with reference to the Glasgow transaction:

(a) Employed and compensated THOUREN and RMG to solicit one or more borrowers to provide services to those borrowers in connection with loans secured by liens on real property at a time when neither THOUREN nor RMG were licensed by the Department in any capacity, in violation of Section 10137 (employing and/or compensating unlicensed persons) of the Code;

(b) Used a form of advance fee agreement in the name of RMG in the Glasgow transaction which had not been provided to the Department for its prior review and consideration, in violation of Section 10085 of the Code (prior submission of advance fee materials required) and Section 2970 (details for prior submission of advance fee materials) of the Regulations; and

(c) Failed to reimburse Glasgow the money he paid to RMG when a satisfactory loan modification was not obtained, in violation of Section 10176(a) (substantial misrepresentation) and (i) (fraud or dishonest dealing), or 10177(g) (negligence) of the Code.

14. BOHL, as the designated officer of LRI and pursuant to Section 10159.2 of the Code, was charged with the responsibility to supervise the activities of the officers, agents, real estate licensees, and employees of LRI for which a license is required. By allowing the violations on the part of LRI to occur, as set out herein, BOHL violated Sections 10159.2 (supervisory responsibility of corporate designated officer) and 10177(d) (violation of provisions of the Real Estate Law) of the Code.

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15. THOUREN solicited borrowers and performed services for those borrowers, including Glasgow, and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded and/or collected advance fees for the services to be provided, during a period of time when THOUREN was not licensed by the Department as a real estate broker, in violation of Sections 10130 (real estate broker license required for certain acts), 10131.2 (real estate broker license required to charge or collect an advance fee), and 10139 (criminal penalties for unlicensed acts) of the Code.

16. RMG, acting by or through LRI and/or THOUREN, solicited borrowers and performed services for those borrowers, including Glasgow, and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded and/or collected advance fees for the services to be provided, during a period of time when neither RMG nor THOUREN were licensed by the Department as a real estate broker, in violation of Sections 10130 (real estate broker license required for certain acts), 10131.2 (real estate broker license required to charge or collect an advance fee), and 10139 (criminal penalties for unlicensed acts) of the Code.

17. LRI and BOHL employed and/or compensated THOUREN and/or RMG for soliciting borrowers and performing services for those borrowers, including Glasgow, and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charging, demanding and/or collecting advance fees for the services to be provided, during a period of time when neither RMG nor THOUREN were licensed by the Department as a real estate broker, in violation of Section 10137 (employed or compensated unlicensed person to perform licensed acts) of the Code.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein,

A. LOAN REVIEW, INC., and JOHN ALVIN BOHL III, whether doing business under your own names, or any other names or fictitious names, ARE HEREBY ORDERED TO IMMEDIATELY DESIST AND REFRAIN FROM:

1. Employing and/or compensating any person or entity for performing any acts within the State of California for which a real estate broker license is required unless and until that person or entity is properly licensed by the Department to you, or either of you, as an individual or corporate real estate broker;

2. Charging, demanding, or collecting an advance fee, as that term in defined in Section 10026 (definition of "advance fee") of the Code, for any of the services you offer to others, unless and until you provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Regulations relating to charging, collecting, and accounting for advance fees.

3. Charging, demanding, or collecting advance fees, as that term in defined in Section 10026 of the Code, in any form and particularly with respect to loan modification, loan refinance, principal reduction, foreclosure abatement or short sale services, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you:

(i) Are using an advance fee agreement which has been submitted to the Department and which is in compliance with Sections 2970 (details for prior submission of advance fee materials) and 2972 (advance fee accounting content requirements) of the Regulations;

(ii) Have placed all previously collected advance fees into a trust account for that purpose and are in compliance with Section 10146 (advance fees must be deposited in broker trust account) of the Code; and

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(iii) Have provided an accounting to trust fund owner-beneficiaries pursuant to Section 2972 (advance fee accounting content requirements) of the Regulations.

B. CORY THOUREN, and RESOLUTION MORTGAGE GROUP, whether doing business under your own names, or any other names or fictitious names, ARE HEREBY ORDERED TO IMMEDIATELY DESIST AND REFRAIN FROM:

1. Performing any acts within the State of California for which a real estate broker license is required. In particular, you are ordered to desist and refrain from:

(i) Soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, and

(ii) From charging, demanding, or collecting an advance fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Regulations relating to charging, collecting, and accounting for advance fees.

DATED: 7-30-09

JEFF DAVI
Real Estate Commissioner

By _____
BY: Barbara J. Bigby
Chief Deputy 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: Loan Review, Inc.
1430 Blue Oaks Blvd., # 250
Rocklin, CA 95765

John Alvin Bohl III
1430 Blue Oaks Blvd., # 250
Rocklin, CA 95765

Cory Thouren
8129 Falcon View Drive
Antelope, CA 95843

Resolution Mortgage Group
151 North Sunrise Ave., # 1008
Roseville, CA 95661