FILED

DEPARTMENT OF REAL ESTATE
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November 15, 2012

DEPARTMENT OF REAL ESTATE

By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

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To: JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES,	NO. H-5913 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 JOHN WESLEY VILLINES, JV SHORT SALE, an entity of unknown form, and/or JOHN WESLEY VILLINES doing business under the fictitious name of JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES. Based on that investigation, the Commissioner has determined that JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES have engaged in, are engaging in, or are attempting to engage in, acts or practices requiring a real estate broker license in violation of Section 10130 of the California Business and Professions Code (hereinafter "the Code"), including engaging in the business of, acting in the capacity of, advertising, or assuming to act as, a real estate broker

in the State of California within the meaning of Section10131(a) (sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listings of, or negotiates the purchase, sale or exchange of real property or a business opportunity) of the Code and of Section 10131(d) (on behalf of others, for or in expectation of compensation, performing services for borrowers or lenders in connection with loans secured by real property) of the Code without having been issued a real estate license. Based on the findings of that investigation, as set forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to JV SHORT SALE, those acts are alleged to have been performed by JOHN WESLEY VILLINES, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and/or KEILAH VILLINES, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the name "JV SHORT SALE" or other fictitious names unknown at this time.

FINDINGS OF FACT

1. At no time herein mentioned have JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES been licensed by the Department in any capacity.

2. During the period of time set out below, JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES solicited for or negotiated with purchasers and/or sellers to perform services in connection with the listing for sale and the sale or exchange of real property and/or on behalf of others, for or in expectation of compensation, performing services for borrowers or lenders in connection with loans secured by real property.

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3. On or about August 17, 2012, ADRIENNE YERZY and JV SHORT SALE for or in expectation of compensation solicited and/or negotiated with a Special Investigator of the Department of Real Estate, acting undercover of the name Catherine Smith, to perform service for Catherine Smith as a borrower in connection with loans secured by real property to negotiate a short sale with said borrower's lender(s) in violation of Section 10130 of the Code (unlawful for any person to engage in the business of, act in the capacity of, advertise or assume to act as a real estate broker or salesperson unless licensed by the Department), and Section 10139 of the Code (unlawful for any person to act as a real estate broker or real estate salesperson without a license).

4. On or about August 17, 2012, ADRIENNE YERZY and JV SHORT SALE represented to the Special Investigator of the Department of Real Estate, acting undercover of the name Catherine Smith, that JOHN WESLEY VILLINES, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES would perform services as "authorized representatives" for Catherine Smith as a borrower in connection with loans secured by real property for the purpose to negotiating a short sale with said borrower's lender(s) in violation of Section 10130 of the Code (unlawful for any person to engage in the business of, act in the capacity of, advertise or assume to act as a real estate broker or salesperson unless licensed by the Department), and Section 10139 of the Code (unlawful for any person to act as a real estate broker or real estate salesperson without a license).

CONCLUSIONS OF LAW

5. Based on the information contained in paragraphs 1 through 4, JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES solicited or negotiated with borrowers and/or lenders to perform services in connection with loans secured by real property on behalf borrowers and lenders, and to list or negotiate the sale of real property on behalf of others, acts which require a real estate license

under Sections 10131(a) and 10131(d) of the Code, during a period of time when JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES were not licensed by the Department in any capacity in violation of Sections 10130 and 10139 of the Code.

DESIST AND REFRAIN ORDER

6.. Based on the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that JOHN WESLEY VILLINES, JV SHORT SALE, ADRIENNE YERZY, CHRIS YERZY, ALYSSA OLSZEWSKI, RICHARD BIRLEW, ZECH KENNAN, AMANDA KEENAN, and KEILAH VILLINES, doing business under your own name, or any other names, ARE HEREBY ORDERED to immediately desist and refrain from performing acts within the State of California for which a real estate broker license is required until you are properly licensed. In particular, you are ORDERED TO DESIST AND REFRAIN from:

1.) On behalf of others, for or in expectation of compensation, soliciting or negotiating with borrowers and lenders to perform services in connection with loans secured by real property, unless and until you obtain a real estate broker license issued by the Department;

2.) On behalf of others, for or in expectation of compensation, selling or offering to sell, buying or offering to buy, soliciting prospective sellers or purchasers of, soliciting or obtaining listings of, or negotiating the purchase, sale or exchange of real property or a business opportunity

DATED: 11/9/2012

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

-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: JOHN WESLEY VILLINES
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