Department of Real Estate
320 West 4th Street, Suite 350
Los Angeles, California 90013-1105

Telephone: (213) 576-6982

FILED
MAR 30 2011
DEPARTMENT OF REAL ESTATE
By

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To: RYAN WILLIAM MARIER, JAMES ERIC PATE, PATE, MARIER AND ASSOCIATES, INC., NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY.	No. H-37185 LA 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 RYAN WILLIAM MARIER, JAMES ERIC PATE, PATE, MARIER AND ASSOCIATES, INC., NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY. Based on that investigation the Commissioner has

determined that RYAN WILLIAM MARIER, JAMES ERIC PATE, PATE, MARIER AND ASSOCIATES, INC., NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY have engaged in or are engaging in acts or attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Section 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in connection with loans secured by liens on real property).

In addition, based on that investigation, the Commissioner has determined that RYAN WILLIAM MARIER, JAMES ERIC PATE, PATE, MARIER AND ASSOCIATES, INC., NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY have engaged in or are engaging in acts or are attempting to engage practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). Based on the findings of that investigation, set forth below, 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.

FINDINGS OF FACT

1. From November 13, 2008, through the present, RYAN WILLIAM MARIER has been licensed by the Department of Real Estate ("Department") as a real estate broker, Department License No. 01848936.

2. From October 5, 2000, through the present, JAMES ERIC PATE has been licensed by the Department as a real estate salesperson, Department License No. 01297379. From March 12, 2008, through November 10, 2009, JAMES ERIC PATE was licensed under the employment of real estate broker Firstline Mortgage, Inc., Department License No. 00895998.

3. At no time mentioned herein have PATE, MARIER AND ASSOCIATES, INC., NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY ever been licensed by the Department in any capacity.

4. On December 17, 2008, RYAN WILLIAM MARIER and JAMES ERIC PATE formed PATE, MARIER AND ASSOCIATES, INC., a California corporation. RYAN WILLIAM MARIER and JAMES ERIC PATE are the directors and officers of PATE, MARIER AND ASSOCIATES, INC. and own or control 10 percent or more of the corporation's stock.

5. On February 17, 2009, PATE, MARIER AND ASSOCIATES, INC. filed a fictitious business name statement with the Orange County Clerk-Recorder for use of the fictitious business name "NHA GROUP."

6. For an unknown period of time beginning no later than May 15, 2009, while using the unlicensed fictitious business name NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, or NATIONAL HOME ASSISTANCE, RYAN WILLIAM MARIER and JAMES ERIC PATE engaged in the business of soliciting to modify or negotiate loans secured by real property, and claimed, demanded, charged, received, collected or contracted for the collection of advance fees, within the meaning of Code Section 10026, for including, but not limited to, the following borrowers:

a. On or about May 15, 2009, Wilfred C. paid an advance fee of $2,495 to NATIONAL HOME ASSISTANCE GROUP, INC. pursuant to an advance fee agreement for loan modification and negotiation services. NATIONAL HOME ASSISTANCE GROUP, INC. failed to perform the loan modification and negotiation services that had been promised to Wilfred C. NATIONAL HOME ASSISTANCE GROUP, INC. failed to refund the advance fee paid by Wilfred C.

b. On or about July 7, 2009, Timothy G. paid an advance fee of $2,090 to NATIONAL HOME ASSISTANCE GROUP pursuant to an advance fee agreement for loan

modification and negotiation services. NATIONAL HOME ASSISTANCE GROUP, INC. failed to perform the loan modification and negotiation services that had been promised to Timothy G. NATIONAL HOME ASSISTANCE GROUP, INC. failed to refund the advance fee paid by Timothy G.

7. MICHELLE LEFAOSEU and BARON MORLEDGE performed some or all of the services alleged in Paragraph 6, subsection (a), above, though neither was licensed as a real estate salesperson or broker.

8. BRANDON MICKLEY performed some or all of the services alleged in Paragraph 6, subsection (b), above, though he was not at the time licensed as a real estate salesperson or broker.

CONCLUSIONS OF LAW

9. Based on the information contained in Paragraphs 1 through 8, above, JAMES ERIC PATE, while doing business as NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, PATE, MARIER AND ASSOCIATES, INC., MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY, violated Section 10130 of the Code by engaging in the activities without first obtaining a broker license from the Department or being under the employ of a licensed real estate broker.

10. Based on the information contained in Paragraphs 1 through 8, above, JAMES ERIC PATE, while doing business as NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME ASSISTANCE, or PATE, MARIER AND ASSOCIATES, INC. violated Section 10137 of the Code by accepting compensation from any person other than the broker under whom he is at the time licensed.

11. Based on the information contained in Paragraphs 1 through 8, above, RYAN WILLIAM MARIER, while doing business as NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, NATIONAL HOME

ASSISTANCE, or PATE, MARIER AND ASSOCIATES, INC. violated Section 10159.5 of the Code and Section 2731 of the Regulations by using an unlicensed fictitious business name to conduct activities that require a real estate license.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT JAMES ERIC PATE, while doing business as NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, or NATIONAL HOME ASSISTANCE, PATE, MARIER AND ASSOCIATES, INC., MICHELLE LEFAOSEU, BARON MORLEDGE, and BRANDON MICKLEY immediately desist and refrain from: engaging in the activities requiring a real estate license without first obtaining a broker license or being licensed as a salesperson under the employ of a licensed real estate broker.

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT RYAN WILLIAM MARIER immediately desist and refrain from using an unlicensed fictitious business name while engaging in activities that require a real estate license including, but not limited to, the following unlicensed fictitious business names: NATIONAL HOME ASSISTANCE GROUP, INC., NATIONAL HOME ASSISTANCE GROUP, NHA GROUP, or NATIONAL HOME ASSISTANCE, PATE, MARIER AND ASSOCIATES, INC.

DATED: 3/24, 2011.

JEFF DAVI
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: Ryan William Marier, Pate, Marier and Associates, Inc., National Home Assistance Group, Inc., National Home Assistance Group, NHA Group, and National Home Assistance
151 Kalmus Drive, Suite B250
Costa Mesa, CA 92626

James Eric Pate, Pate, Marier and Associates, Inc., National Home Assistance Group, Inc., National Home Assistance Group, NHA Group, and National Home Assistance
20282 Ramona Lane
Huntington Beach, CA 92648

Michelle Lefaoseu, Baron Morledge, and Brandon Mickley
3151 Airway Avenue, Suite F-109
Costa Mesa, CA 92626

3151 Airway Avenue, Suite P-1
Costa Mesa, CA 92626