FILED

MAR - 5 2012

DEPARTMENT OF REAL ESTATE
BY: C.

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of SHAWN BRENNAN, Respondent.	))))))	No. H-37476 LA

DEFAULT DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on February 13, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

1.

On or about August 24, 2011, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California.

a) On August 25, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, return receipt requested, to Respondent SHAWN BRENNAN ("Respondent") at his last known mailing addresses on file with the Department of Real Estate ("Department") at 2637 East Atlantic Blvd., Pompano Beach, FL 3302. The package was returned to the Department marked "Refused."

b) On August 25, 2011, the Accusation, Statement to Respondent, and Notice of Defense were mailed, certified mail, return receipt requested, to Respondent at an alternate address of record at 5105 E. Los Angeles, Ave., #139, Simi Valley, CA 93063. This mailing was signed for.

c) No Notice of Defense has been received from Respondent. Respondent's Default was entered on February 13, 2012.

2.

Respondent SHAWN BRENNAN has license rights as a restricted real estate salesperson. Respondent was first licensed by the Department as a real estate salesperson on April 28, 2003. Between August 1, 2008 and July 9, 2009, Respondent was not employed by a supervising broker of record, and was therefore not licensed to perform real estate activities. Between July 10, 2009 and December 15, 2009, DMC Funding was Respondent's employing broker of record. Since December 15, 2009, Respondent has not been employed by a supervising broker. His license expired on April 27, 2011, and he retains renewal rights pursuant to Business and Professions Code ("Code") section 10201. The Department therefore retains jurisdiction pursuant to Code Section 10103.

3.

Veritas Holdings LLC ("Veritas Holdings") is not currently and has never been licensed by the Department in any capacity. At all times relevant herein, Respondent was President and/or managing partner of Veritas Holdings.

4.

Between on or before December 3, 2008, and on or after April 1, 2009, Respondent, at times doing business as Veritas Holdings, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Code Sections 10131(d) and 10131.2, for or in expectation of compensation. Respondent solicited and/or performed services for borrowers in connection with loans secured directly or collaterally by liens on real property, for or in expectation of compensation and claimed, demanded, charged, received, collected or contracted for an advance fee for such services.

5.

On or about December 3, 2008, Respondent entered into a loan modification agreement with borrower Gregory J. ("Borrower") to assist him in negotiating a loan modification for a loan or loans secured by real property located in San Diego, CA.

6.

Between December 3, 2008 and January 19, 2009, Respondent collected $5,000.00 in advance fees for loan modification services from Borrower. Respondent provided repeated written assurances that he was in communication with Borrower's lender. However, in truth and fact, Respondent never contacted Borrower's lender and never provided any loan modification or credit repair services as promised. In addition, Respondent refused to refund any of the advance fees paid.

7.

At the time he solicited Borrower to provide loan modification services, and collected an advance fee in connection with those services, as set forth in the Findings of Fact above, Respondent was not employed by a supervising broker of record, and was therefore not authorized to conduct activities requiring a real estate broker license. He was not authorized to collect advance fees or negotiate with lenders regarding terms of loans secured by real estate on behalf of others. Respondent was therefore acting in an unlicensed capacity, and was accepting compensation for activities requiring a real estate license from someone other than his employing broker of record.

DETERMINATION OF ISSUES

1.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

2.

The conduct, acts and/or omissions of Respondent SHAWN BRENNAN, in soliciting borrowers and collecting advance fees from borrowers to perform acts requiring a real estate license constitutes grounds to discipline the license and license rights of Respondent SHAWN BRENNAN pursuant to Code Sections 10130, 10137, and 10177(d).

3.

The conduct, acts and/or omissions of Respondent SHAWN BRENNAN, in collecting money up front from Borrower, promising to perform services requiring a real estate broker license, making false representation that he had in fact contacted Borrower's creditors, and then failing to provide services or refund money, constitutes dishonest dealing and fraud, and is grounds to revoke or suspend Respondent's license and license rights pursuant to Code Section 10177(j).

ORDER

All licenses and license rights of Respondent SHAWN BRENNAN under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on March 26, 2012.

DATED: 2/28/12.

BARBARA J. BIGBY
Acting Real Estate Commissioner

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

FILED
FEB 13 2012
DEPARTMENT OF REAL ESTATE
BY: C.2

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of SHAWN BRENNAN, Respondent.	NO. H-37476 LA DEFAULT ORDER

Respondent, SHAWN BRENNAN, having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is, therefore, ordered that a default be entered on the record in this matter.

IT IS SO ORDERED February 13, 2012.

BARBARA J. BIGBY
Acting Real Estate Commissioner

Dolores Weeks

By: DOLORES WEEKS
Regional Manager

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Department of Real Estate
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Telephone: (213) 620-6430

FILED
AUG 25 2011
DEPARTMENT OF REAL ESTATE
By C

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of SHAWN BRENNAN, Respondent.	No. H-37476 LA ACCUSATION

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for Accusation against SHAWN BRENNAN, aka Shawn Gabriel Brennan, doing business as owner of Veritas Holdings LLC, ("Respondent"), is informed and alleges as follows:

1.

The Complainant makes this Accusation in her official capacity.

2.

At all times mentioned herein Respondent was and now is licensed, by the State of California Department of Real Estate ("Department"), and/or has license rights, as a real estate salesperson.

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3.

Respondent was fist licensed by the Department as a real estate salesperson on or about April 28, 2003. Between on or about August 1, 2008 and July 9, 2009, Respondent was not licensed as a salesperson authorized to engage in real estate activities under the supervision of a licensed broker. Between on or about July 10, 2009 and December 15, 2009, Respondent was employed by DMC Funding Inc. as his supervising broker of record. Since December 15, 2009, Respondent has not been employed by a supervising broker and has therefore not been authorized to engage in real estate activities requiring a license. His license expired on April 27, 2011, and he retains renewal rights pursuant to Business and Professions Code ("Code") Section 10201. The Department retains jurisdiction pursuant to Code Section 10103.

4.

Veritas Holdings LLC ("Veritas Holdings") is not now and has never been licensed by the Department in any capacity. At all times relevant herein, Respondent was President and/or managing partner of Veritas Holdings.

5.

All further references to "Respondent" include SHAWN BRENNAN, individually and doing business as Veritas Holdings, as well as his agents, employees and/or independent contractors.

6.

Between on or before December 3, 2008, and continuing through on or after April 1, 2009, Respondent, at times doing business Veritas, engaged in the business of, acted in the capacity of, advertised, or assumed to act as a real estate broker within the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation. Respondent solicited and/or performed services for borrowers in connection with loans secured directly or collaterally by liens on real property, for or in expectation of compensation and claimed, demanded, charged, received, collected or contracted for an advance fee for such services.

7.

On or about December 3, 2008, Respondent, entered into a loan modification agreement with borrower Gregory J. ("Borrower") to assist him in negotiating a loan modification for a loan or loans secured by real property located in San Diego, CA.

8.

Between December 3, 2008 and January 19, 2009, Respondent collected $5,000.00 in advance fees for loan mitigation services from Borrower. Respondent provided repeated written assurances that he was in communication with Borrower's lender. However, in truth and fact, Respondent never contacted Borrower's lender and never provided any loan modification or credit repair services as promised. In addition, Respondent refused to refund any of the advance fees paid.

9.

At the time Respondent solicited Borrower to provide loan modification services, and collected an advance fee in connection with that offer for services, Respondent was not employed by a supervising broker of record, and was therefore not authorized to conduct activities requiring a real estate broker license. He was not authorized to collect advance fees or negotiate with lenders regarding terms of loans secured by real estate on behalf of others. He was therefore acting in an unlicensed capacity, and was accepting compensation for activities requiring a real estate license from someone other than his employing broker of record.

10.

Respondent's conduct of unlicensed activity and acceptance of compensation from others who were not his employing broker of record, as set forth above, constitutes grounds to revoke or suspend Respondent's real estate license and license rights pursuant to Code Sections 10130, 10137 and 10177(d) and/or 10177(g).

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11.

Respondent's conduct in collecting money up front from Borrower, promising to perform services requiring a real estate license, making false representations that he had in fact contacted Borrower's creditors, and then failing to provide services or refund money constitutes dishonest dealing or fraud, and is grounds to revoke or suspend Respondent's license or license rights pursuant to Code Section 10177(j).

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof a decision be rendered imposing disciplinary action against all licenses and/or license rights of Respondent SHAWN BRENNAN under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California,
this 24 day of August, 2011.

MARIA SUAREZ
Deputy Real Estate Commissioner

cc: Shawn Brennan
Maria Suarez
Sacto.