DEPARTMENT OF REAL ESTATE
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

(213) 576-6982

FILED

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DEPARTMENT OF REAL ESTATE
BY: _____

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To: USA LENDING PARTNERS CORP, or any other fictitious names used by USA Lending Partners Corp and SEAN GIVENS, individually and as designated officer of USA Lending Partners Corp	NO. H- 37701 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 USA LENDING PARTNERS CORP. (hereinafter "USALPC") and SEAN GIVENS (hereinafter "GIVENS"). Based on that investigation, the Commissioner has determined that USALPC and GIVENS 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, 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 Code Section 10131(d) (performing services for borrowers in connection with loans secured by real property) and 10131.2 (advance fee handling) of the Code. 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.

Whenever acts referred to below are attributed to USALPC or GIVENS, those acts are alleged to have been done by USALPC, acting by itself or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to USALPC and using the name "USA LENDING PARTNERS CORP," or other names or fictitious names unknown at this time.

Whenever acts referred to below are attributed to USALPC or GIVENS, those acts are alleged to have been done by GIVENS, acting by himself or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to USALPC and using the name "USA LENDING PARTNERS CORP," or other names or fictitious names unknown at this time. .

FINDINGS OF FACT

1. USALPC is presently licensed by the Department as a real estate corporation. GIVENS is presently the designated officer of USALPC. USALPC filed Articles of Incorporation with the Secretary of State on July 7, 2004 with GIVENS listed as the Agent for Service of Process at 10073 Valley View Street, #285, Cypress, California 90630. USALPC filed a Statement of Information with the Secretary of State on November 14, 2005 listing USALPC's address as 17890 Castleton Street, #398, City of Industry, CA 91748. USALPC's corporate status in the State of California was suspended on or about March 3, 2008 by the Franchise Tax Board.

2. GIVENS has been licensed by the Department as a real estate broker since May 3, 2002. GIVENS is the designated officer of USALPC.

3. At all times herein mentioned, USALPC and GIVENS acted as real estate brokers and conducted licensed activities, including conducting loan modification services for homeowner-borrowers. USALPC and GIVENS, on behalf of homeowner-borrowers, for and in expectation of compensation and for fees often collected in advance, engaged in the business, acted in the capacity of, advertised or assumed to act, as real estate brokers in the State of California within the meaning of Code Sections 10131(d) and 10131.2, by providing loan solicitation, negotiation, and modification services to distressed homeowners.

4. USALPC collected advance fees from homeowner-borrowers seeking loan modification services without having obtained a pre-approved advance fee agreement approved by the Commissioner.

5. Between 2008 and 2009, USALPC and GIVENS collected $2,995.00 in advance fees from Henry and Marchall P. pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by USALPC with respect to a loan secured by real property located at 3934 Grandview Avenue, Gurnee, IL 60031. The Department has no record of any advance fee materials approved by the Commissioner for use by USALPC or GIVENS. When Henry and Marchall P. contacted their lender and learned that USALPC had not communicated with the bank, they requested a refund from USALPC. TO date, no loan modification services have been provided and no refund issued to Henry and Marchall P.

6. USALPC has listed with the Department as its main office address an address that is a private mailbox at a mailbox it rents at Mail Center. USALPC has not informed the Department of a physical location where it transacts business.

7. GIVENS failed to supervise the activities conducted on behalf of USALPC to ensure compliance with the Real Estate Law.

CONCLUSIONS OF LAW

8. Based on the findings of fact contained in paragraphs 1 through 6, USALPC acting by itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to GIVENS using the name "USA Lending Partners Corp" or other names or fictitious names unknown at this time:

a. solicited borrowers to negotiate loans or perform services, in connection with loans secured directly or collaterally by one or more liens on real property and collected advance fees pursuant to an agreement that had not been submitted to the Commissioner ten days prior to using it, a violation of Code Section 10085 and Regulation 2970;

b. listed with the Department as its main office an address that belongs to a private mailbox and failed to inform the Department of its physical office location address where business is transacted, a violation of Code Section 10162 and Regulation 2715; and

c. GIVENS as designated officer failed to supervise the activities conducted on behalf of USALPC to ensure compliance with the Real Estate Law, a violation of Code Section 10159.2.

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DESIST AND REFRAIN ORDER:

Based on the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that USA LENDING PARTNER CORP and SEAN GIVENS, whether doing business under their own names, or any other names, or any fictitious names, ARE HEREBYORDERED to:

1. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form and under any conditions, with respect to loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6).
2. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the other real estate related services offered to others, unless and until USA LENDING PARTNERS CORP and SEAN GIVENS, and each of them, demonstrate and provide evidence satisfactory to the Commissioner that each:
   (a) has an advance fee agreement which has been submitted to the Department and which is in compliance with Section 10085 of the Code and Section 2970 of the Regulations;
   (b) has placed all previously collected advance fees into a trust account for that purpose and is in compliance with Section 10146 of the Code;
   (c) has provided an accounting to trust fund owner-beneficiaries from whom advance fees have previously been collected in compliance with Code Section 10146 and Section 2972 of the Regulations; and
   (d) are in compliance with the Real Estate Law, as set forth in this Order.

DATED: 11/16 2011

BARBARA J. BIGBY
Acting Real Estate Commissioner

By

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: USA LENDING PARTNERS CORP
10073 Valley View Street, #285
Cypress, CA 90630

SEAN GIVENS
10073 Valley View Street, #285
Cypress, CA 90630