



1 I

2 At all times herein mentioned, you were and now are  
3 presently licensed under the Real Estate Law (Part 1 of Division  
4 4 of the Business and Professions Code) (hereinafter "the Code")  
5 as a real estate broker.

6 II

7 At all times herein mentioned, Qualifund Financial,  
8 Inc. (hereinafter "Qualifund"), a California corporation,  
9 engaged in the business of, acted in the capacity of,  
10 advertised, or assumed to act as a real estate broker within the  
11 State of California within the meaning of Sections 10131(d) of  
12 the Code, including the operation and conduct of a mortgage loan  
13 brokerage business with the public wherein, on behalf of others,  
14 for compensation or in expectation of compensation, Qualifund  
15 solicited lenders and borrowers for loans secured directly or  
16 collaterally by liens on real property, and wherein Qualifund  
17 arranged, negotiated, processed, and consummated such loans.

18 III

19 Between on or about June 4, 1998, and on or about  
20 January 11, 2000, in course of the activities described in  
21 Paragraph II, above, Qualifund negotiated and arranged:

22 (a) A \$227,500 loan from Headlands Mortgage Company  
23 to Jeffrey Wayne Robles secured by residential real property at  
24 530 West Ocean Blvd. #404, Long Beach, CA 90802;

25 (b) A \$96,500 loan to Anselma Abad and Melicio Abad  
26 secured by residential real property at 4866 Manomet Street, San  
27 Diego, CA 92113;

1 (c) A \$183,000 loan from Irwin Mortgage Corporation  
2 to Gordon and Maria Hudson secured by residential real property  
3 at 1136 Camino Ciego Court, Vista, CA 92084;

4 (d) A \$127,500 loan from Long Beach Mortgage Company  
5 to Laverna Lang secured by residential real property at 754  
6 Winston Drive, San Diego, CA 92114;

7 (e) A \$68,000 loan from New Century Mortgage  
8 Corporation to Ted and Connie Vlasits secured by residential real  
9 property at 17622 Highway 76, Pauma Valley, CA 92061; and

10 (f) A \$160,000 loan from Irwin Mortgage Corporation  
11 to Cathy J. Francis secured by residential real property at  
12 12724 Robison Blvd., Poway, CA 92064.

13 IV

14 At all times herein mentioned, you, in association  
15 with Diane Lowe, and not by means of a corporation duly  
16 organized for that purpose, engaged in the business of, acted in  
17 the capacity of, and assumed to act as an escrow agent within  
18 the State of California within the meaning of Section 17004 of  
19 the Financial Code, including the operation and conduct of an  
20 escrow business with the public wherein you received and  
21 conducted escrows for the purpose of consummating sales of real  
22 property negotiated and arranged by others and loans secured  
23 directly or collaterally by liens on real property negotiated  
24 and arranged by others.

25 ///

26 ///

27 ///

1 V

2 Between on or about September 1, 1998, and on or about  
3 January 11, 2000, in course of the activities described in  
4 Paragraph IV, above, in each of the transactions described in  
5 Paragraph III, above, you conducted escrows to consummate the  
6 mortgage loans negotiated and arranged by Qualifund.

7 VI

8 In each of the escrows conducted by you described in  
9 Paragraph V, above, to consummate the loan transactions  
10 described in Paragraph III, above, in order to induce the  
11 borrower and Qualifund to employ you to act as an escrow agent  
12 in the transaction, you represented that the escrow would be  
13 conducted by you under authority of your license as a real  
14 estate broker (hereinafter "the representation").

15 VII

16 The representation was false.

17 VIII

18 At no time mentioned herein were you licensed by the  
19 Corporations Commissioner of the State of California as an  
20 escrow agent.

21 IX

22 You did not perform any act for which a real estate  
23 license is required in any of the transactions described in  
24 Paragraph III, above.

25 X

26 Your activities described in Paragraph V, above, were  
27 subject to the provisions of the Escrow Law, Division 6

1 (commencing with Section 17000) of the Financial Code, and were  
2 not exempt therefrom pursuant to any provision of Section 17006  
3 of the Financial Code.

4 XI

5 In acting as described in Paragraphs V and VIII  
6 through X, inclusive, above, you acted as an escrow agent in  
7 violation of Section 17200 of the Financial Code.

8 XII

9 At the time you made the representation you knew the  
10 representation was false, or had no reasonable basis for  
11 believing the representation was true.

12 XIII

13 Your acts and omissions described in Paragraphs VI  
14 through XII, inclusive, above, constituted the substantial  
15 misrepresentation of a material fact concerning your escrow  
16 business.

17 XIV

18 In acting as described in Paragraphs VI through XIII,  
19 inclusive, above, you violated Section 10177(c) of the Code.

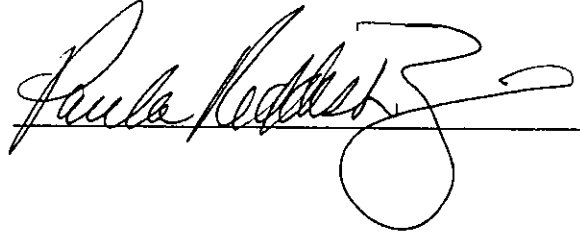
20 NOW, THEREFORE, YOU, THOMAS CHARLES COOPER,  
21 INDIVIDUALLY AND DOING BUSINESS AS ESCROW EXPRESS and ESCONDIDO  
22 ESCROW EXPRESS, AND YOUR AGENTS AND EMPLOYEES, ARE HEREBY  
23 ORDERED TO DESIST AND REFRAIN from violating Section 10177(c) of  
24 the Code, and from engaging in business as an escrow agent  
25 except by means of a corporation duly organized for that purpose  
26 and licensed by the Corporations Commissioner as an escrow  
27 agent, or pursuant to an exemption from the provisions of the

1 Escrow Law, Division 6 (commencing with Section 17000) of the  
2 Financial Code, pursuant to a provision of Section 17006 of the  
3 Financial Code.

4 DATED:

February 1, 2001

5 PAULA REDDISH ZINNEMANN  
6 Real Estate Commissioner

7   
8

9 cc: THOMAS CHARLES COOPER  
10 2220 Otay Lakes Road, #502  
11 P. O. Box 89  
12 Chula Vista, California 91915-1009  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27