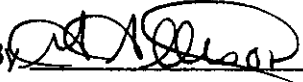


FILED

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0791

July 8, 2011

DEPARTMENT OF REAL ESTATE

By 

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

10 * * *

11 To:)	
)	NO. H-2651 FR
12 KRYSTAL FINANCE, INC., a California)	
13 Corporation, LEROY McGUFFIE PORTER,)	ORDER TO DESIST AND
14 and JUAN BAUTISTA LLANES)	REFRAIN
)	(B&P Code Section 10086)
)	
)	

16 The Commissioner (Commissioner) of the California Department of Real Estate
17 (Department) caused an investigation to be made of the activities of KRYSTAL FINANCE,
18 INC., doing business under the fictitious name of CASITA REALTY, LEROY McGUFFIE
19 PORTER, and JUAN BAUTISTA LLANES. Based on that investigation, the Commissioner
20 has determined that KRYSTAL FINANCE, INC., LEROY McGUFFIE PORTER, and JUAN
21 BAUTISTA LLANES have engaged in, are engaging in, or are attempting to engage in, acts or
22 practices constituting violations of the California Business and Professions Code (Code) and/or
23 Title 10, California Code of Regulations (Regulations), including engaging in the business of,
24 acting in the capacity of, advertising, or assuming to act as, a real estate broker in the State of
25 California within the meaning of Section 10131(a) of the Code (on behalf of others, for or in
26 expectation of compensation, selling or offering to sell, buying or offering to buy, soliciting
27 prospective sellers or purchases of, soliciting for or obtaining listings of, and/or negotiated the

1 purchase or sale of real property) and Section 10131(d) (on behalf of others, for or in expectation
2 of compensation, performing services for borrowers or lenders in connection with loans secured
3 by real property) of the Code. Based on the findings of that investigation, as set forth below, the
4 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist
5 and Refrain Order under authority of Section 10086 of the Code.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has JUAN BAUTISTA LLANES been
8 licensed by the Department in any capacity.

9 2. During the period of time set out below, KRYSTAL FINANCE, INC., as
10 a corporate real estate broker licensed by the Department and its designated broker/officer,
11 LEROY McGUFFIE PORTER, employed JUAN BAUTISTA LLANES to sell or offer to sell,
12 buy or offer to buy, solicit prospective sellers or purchases of, solicit for or obtain listings of,
13 and/or negotiate the purchase or sale of real property, and/or solicited or negotiated with
14 borrowers and lenders to perform services in connection with loans secured by real property in
15 connection with loans secured by real property.

16 3. For an unknown period of time prior to August 10, 2009, until and
17 including April 16, 2010, KRYSTAL FINANCE, INC., as a corporate real estate broker
18 licensed by the Department, and its designated broker/officer, LEROY McGUFFIE PORTER,
19 employed JUAN BAUTISTA LLANES for or in expectation of compensation for the purpose of
20 obtaining a listing to sell the real property of Maria D., commonly known as 1506 Alta Vista
21 Drive, Bakersfield, California, and to negotiate with buyers for the purchase of said property and
22 negotiating with the seller's lender to sell the property for an amount less than the balance due
23 on the seller's existing mortgage in violation of Sections 10130 of the Code (unlawful for any
24 person to engage in the business of, act in the capacity of, advertise or assume to act as a real
25 estate broker or salesperson unless licensed by the Department), Section 10137 of the Code
26 (unlawful for licensed broker to employ or compensate any unlicensed person for performing
27 any acts requiring a real estate license), and Section 10138 of the Code (unlawful for any person

1 to pay or deliver to an unlicensed person compensation for performing acts requiring a real
2 estate license).

3 4. For an unknown period of time prior to November 6, 2009, until and
4 including February 5, 2010, KRYSTAL FINANCE, INC., as a corporate real estate broker
5 licensed by the Department, and its designated broker/officer, LEROY McGUFFIE PORTER,
6 employed JUAN BAUTISTA LLANES for or in expectation of compensation for the purpose of
7 obtaining a listing to sell the real property of Maria C., commonly known as 12017 Kinross
8 Court, Bakersfield, California, and to negotiate with buyers for the purchase of said property and
9 negotiating with the seller's lender to sell the property for an amount less than the balance due
10 on the seller's existing mortgage in violation of Sections 10130 of the Code (unlawful for any
11 person to engage in the business of, act in the capacity of, advertise or assume to act as a real
12 estate broker or salesperson unless licensed by the Department), Section 10137 of the Code
13 (unlawful for licensed broker to employ or compensate any unlicensed person for performing
14 any acts requiring a real estate license), and Section 10138 of the Code (unlawful for any person
15 to pay or deliver to an unlicensed person compensation for performing acts requiring a real
16 estate license).

17 5. For an unknown period of time prior to December 16, 2009, until and
18 including August 19, 2010, KRYSTAL FINANCE, INC., as a corporate real estate broker
19 licensed by the Department, and its designated broker/officer, LEROY McGUFFIE PORTER,
20 employed JUAN BAUTISTA LLANES for or in expectation of compensation for the purpose of
21 obtaining a listing to sell the real property of Fernando G. and Yulia P. commonly known as
22 10200 Mersham Hill Drive, Bakersfield, California, and to negotiate with buyers for the
23 purchase of said property, and negotiating with the seller's lender to sell the property for an
24 amount less than the balance due on the seller's existing mortgage in violation of Sections
25 10130 of the Code (unlawful for any person to engage in the business of, act in the capacity of,
26 advertise or assume to act as a real estate broker or salesperson unless licensed by the
27 Department), Section 10137 of the Code (unlawful for licensed broker to employ or compensate

1 DESIST AND REFRAIN ORDER

2 8. Based on the Findings of Fact and Conclusions of Law stated herein, you,
3 KRYSTAL FINANCE, INC., and LEROY McGUFFIE PORTER, doing business under your
4 own names, or any other names, ARE HEREBY ORDERED to immediately desist and refrain
5 from employing and/or compensating any person to perform acts within the State of California
6 for which a real estate broker license is required, and in particular, employing and/or
7 compensating unlicensed persons for the purpose of soliciting prospective sellers or purchases
8 of, soliciting for or obtaining listings of, and/or negotiating the purchase or sale of real property,
9 and/or soliciting or negotiating with borrowers and lenders to perform services in connection
10 with loans secured by real property, unless and until such employees obtain a real estate broker
11 license issued by the Department.

12 9. Based on the Findings of Fact and Conclusions of Law stated herein, you,
13 JUAN BAUTISTA LLANES, doing business under your own name, or any other names, ARE
14 HEREBY ORDERED to immediately desist and refrain from performing acts within the State
15 of California for which a real estate broker license is required, and in particular, soliciting
16 prospective sellers or purchases of, soliciting for or obtaining listings of, and/or negotiating the
17 purchase or sale of real property, and/or soliciting or negotiating with borrowers and lenders to
18 perform services in connection with loans secured by real property, unless and until you obtain a
19 real estate broker license issued by the Department.

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21 DATED: 7/6, 2011

22
23 BARBARA BIGBY
24 Acting Real Estate Commissioner

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-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: KRYSTAL FINANCE, INC.
240 Bernard Street
Bakersfield, CA 93305

KRYSTAL FINANCE, INC.
Agent for Service of Process
JUAN B. LLANES
240 Bernard Street
Bakersfield, CA 93305

LEROY McGUFFIE PORTER*
3306 Mulford Avenue
Lynwood, CA 90262

*Main office address of record

LEROY McGUFFIE PORTER**
4015 East Maple Tree Drive
Anaheim, CA 92807

**Mailing address of record

JUAN BAUTISTA LLANES
240 Bernard Street
Bakersfield, CA 93305