

FILED

JUN 27 2008

DEPARTMENT OF REAL ESTATE

By *R. Henry*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE
DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

To:)	No. H-3829 SD
)	
DONNA LYNNE KUNZ)	<u>ORDER TO</u>
)	<u>DESIST AND REFRAIN</u>
)	

The Real Estate Commissioner of the State of California (hereinafter "Commissioner") has caused an investigation to be made of your activities and based upon the findings herein below set forth, is of the opinion that you, DONNA LYNNE KUNZ (hereinafter "you") as a real estate licensee, have violated Sections 10235 of the California Business and Professions Code (hereinafter "Code") and Sections 2848(16), 2848(17), 2848(6), 2847.3, and 2848(18) of Title 10, California Code of Regulations (hereinafter the "Regulations") by knowingly advertising or causing or permitting to be advertised statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are also false, misleading or deceptive.

I

1 At all times herein mentioned, DONNA LYNNE KUNZ, was
2 and is licensed by the Department as a real estate broker.
3

4 II

5 On or about April 2006, you caused to be mailed,
6 advertisements which included statements or representations with
7 regard to rates, terms, or conditions for making or negotiating
8 loans which are not in compliance with advertising statutes and
9 are false, misleading or deceptive.

10 III

11 On or about June 7, 2006 and August 25, 2006 Sylvia I.
12 Yrigollen, a Senior Deputy Commissioner, Mortgage Loan Activities
13 Section, at the Department, wrote you letters informing you of
14 the facts noted in Paragraph II above, an explanation of reasons
15 why the advertisements were not in compliance with advertising
16 statutes and are false, misleading or deceptive, and advising you
17 to discontinue using the offending advertising, immediately.
18

19 IV

20 On or about September 14, 2006 and October 13, 2006,
21 Ms. Yrigollen received letters from you responding to the letters
22 described in Paragraph III.

23 V

24 On or about October 27, 2006, Ms. Yrigollen wrote you
25 another letter in response to the letters described in Paragraph
26 IV to acknowledge the letters and to provide further
27 clarification to assist you in complying.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

VI

On or about September 2006, you caused to be mailed, advertisements which included statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are false, misleading or deceptive.

VII

On or about December 5, 2006 Sylvia I. Yrigollen, a Senior Deputy Commissioner, Mortgage Loan Activities Section, at the Department, wrote you a letter informing you of the facts noted in Paragraph VI above, an explanation of reasons why the advertisements were not in compliance with advertising statutes and are false, misleading or deceptive, and advising you to discontinue using the offending advertising, immediately.

VIII

On or about January 26, 2007, Ms. Yrigollen received a letter from you responding to the letter described in Paragraph VII.

IX

On or about February 2007, you caused to be mailed, advertisements which included statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are false, misleading or deceptive.

///

///

///

X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

On or about February 2008, you caused to be mailed, advertisements which included statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are false, misleading or deceptive.

XI

In performing the acts described in Paragraphs II, VI, IX, and X, you knowingly advertised or caused or permitted to be advertised statements or representations with regard to rates, terms, or conditions for making or negotiating loans which is false, misleading or deceptive in violation of Sections 10235, of the Code and Sections 2848(16), 2848(17), 2848(6), 2847.3, and 2848(18), of the Regulations.

NOW THEREFORE, YOU, DONNA LYNNE KUNZ, ARE HEREBY ORDERED TO DESIST AND REFRAIN from causing to be published advertisements which include statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are false, misleading or deceptive.

DATED: 6 24 08

JEFF DAVI
Real Estate Commissioner
