

1 DEPARTMENT OF REAL ESTATE
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FILED
MAY - 1 2012

DEPARTMENT OF REAL ESTATE

[Signature]

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE
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11 To:) NO. H-4333 SD
12)
13 EXTREME POINT LLC) ORDER TO DESIST AND REFRAIN
14) (B&P Code Section 10086)
15)

16 The Commissioner of the California Department of Real Estate (hereinafter
17 "Department") caused an investigation to be made of the activities of EXTREME POINT LLC
18 using the name Extreme Point Settlements or other names unknown at this time (hereinafter
19 "EXTREME POINT"). Based on that investigation, the Commissioner has determined that
20 EXTREME POINT has engaged in, is engaging in, or is attempting to engage in, acts or
21 practices constituting violations of the California Business and Professions Code (hereinafter
22 "Code") and/or Title 10, Chapter 6, California Code of Regulations (hereinafter "Regulations")
23 including acting in the capacity of, advertising, or assuming to act as a real estate broker in the
24 State of California within the meaning of Code Sections 10130 (acted as a real estate broker
25 without a license), 10131(a) (solicited prospective sellers and purchasers of, solicited and
26 obtained listings of, and negotiated the purchase and sale of real property consisting of
27 timeshare interests) and 10085.5 (demanded advance fee). Furthermore, based upon the

1 investigation, the Commissioner hereby issues the following Findings of Fact and Desist and
2 Refrain Order under the authority of Code Section 10086.

3 Whenever acts referred to below are attributed to EXTREME POINT, those acts
4 are alleged to have been done by and/or through one or more representatives, agents, associates,
5 affiliates, and/or co-conspirators, and/or using other names or fictitious names unknown at this
6 time.

7 FINDINGS OF FACT

8 1. EXTREME POINT is a company organized under the laws of the State of
9 Florida with a place of business located at 4445 Eastgate Mall, Suite 200, San Diego, California,
10 92121. At no time herein mentioned was EXTREME POINT licensed by the Department in any
11 capacity.

12 2. As hereinafter set forth, EXTREME POINT engaged in the business of, acted
13 in the capacity of, or assumed to act as a real estate broker in California.

14 3. During the periods of time set forth below, EXTREME POINT, acting by and
15 through an Extreme Point Settlement representative, and/or other agents, associates, affiliates,
16 and/or co-conspirators solicited to do one or more of the following acts for another or others, for
17 or in expectation of compensation: solicited prospective sellers and purchasers of, solicited and
18 obtained listings of, and negotiated the purchase and sale of real property consisting of timeshare
19 interests.

20 4. On approximately November 2, 2011, EXTREME POINT, acting by and
21 through an Extreme Point Settlement representative, and/or other agents, associates, affiliates,
22 and/or co-conspirators solicited Chrys R. in order to negotiate the sale of her timeshare interest
23 located in Palm Coast, Florida, and claiming, demanding, charging, receiving, collecting or
24 contracting for an advanced fee for such services in the amount of \$3,174.17 without having first
25 obtained a real estate broker license in violation of Sections 10130 and 10131(a).

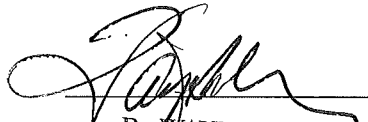
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1 (2) charging, demanding, contracting for or receiving advance fees, as that term is
2 defined in Section 10026 of the Code, for any of the services they offer to others, unless
3 and until it demonstrates and provides evidence satisfactory to the Commissioner that it is
4 properly licensed by the Department as a real estate broker, and that it has an advance fee
5 agreement which has been submitted to the Department and which is in compliance with
6 the provisions of Section 2970 of the Regulations.

7 DATED: 4/22/2012
8

9 Real Estate Commissioner

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12 By WAYNE S. BELL
13 Chief Counsel

14 **- NOTICE -**

15 Business and Professions Code Section 10139 provides that, "Any person acting as a real
16 estate broker or real estate salesperson without a license or who advertises using words
17 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
18 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
19 imprisonment in the county jail for a term not to exceed six months, or by both fine and
20 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
21 (\$60,000) . . ."

22 EXTREME POINT LLC
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