

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0791

FILED

FEB 18 2009

DEPARTMENT OF REAL ESTATE

By L. Henry

9 BEFORE THE DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 TO:)
13)
14 JOHN A. RIESS and,)
15 J. R. FINANCIAL)
16)

NO. H- 5158 SAC

ORDER TO
DESIST AND REFRAIN

17 The Real Estate Commissioner of the State of California (hereinafter
18 "Commissioner") has caused an investigation to be made of your activities and based upon the
19 findings herein below set forth, is of the opinion that you, JOHN A. RIESS, and you, J. R.
20 FINANCIAL, have violated Section 10130 of the California Business and Professions Code
21 (hereinafter the "Code") by engaging in the business of or acting as a real estate salesperson or
22 broker, within the meaning of Sections 10085.5, 10130 and 10131(d) of the Code without first
23 having obtained a real estate license from the California Department of Real Estate (hereinafter
24 the "Department").

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26 At no time herein mentioned were you, JOHN A. RIESS, or you, J. R.
27 FINANCIAL licensed by the Department as a real estate broker or salesperson, as appropriate.

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At all times herein mentioned you, JOHN A. RIESS, and you, J. R. FINANCIAL, were compensated for performing acts in furtherance of the activities discussed in Paragraph 3 below.

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During the period from about April 2007 through December 2007, you, JOHN A. RIESS, and you, J. R. FINANCIAL, among other things, solicited and/or performed services for borrowers, including but not limited to, Sandra Heredia, in connection with loans secured directly or collaterally by liens on real property or on a business opportunity, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for an advanced fee for such services.

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The acts that you, JOHN A. RIESS, and you, J. R. FINANCIAL, performed for or in expectation of compensation, described in Paragraph 3 above, as well as, the claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, are acts requiring a real estate salesperson or broker license under the provisions of Sections 10130 and 10131(d) of the Code and Section 10085.5 of the Code, respectively.

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You, JOHN A. RIESS, and you, J. R. FINANCIAL, violated Sections 10085.5 and 10130 of the Code by engaging in the activities described above in Paragraph 3 without first obtaining a real estate salesperson or broker license from the Department.

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NOW THEREFORE, YOU, JOHN A. RIESS, AND YOU, J. R. FINANCIAL,
ARE HEREBY ORDERED TO DESIST AND REFRAIN from performing any and all acts
for which a real estate license is required until such time as you obtain the required license from
the Department.

DATED: FEB 11 2009, 2009

JEFF DAVI
Real Estate Commissioner



ATTY/DBS