

1 DEPARTMENT OF REAL ESTATE

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FILED

JAN 26 2011

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE  
9 DEPARTMENT OF REAL ESTATE  
10 STATE OF CALIFORNIA

11 \* \* \*

12 TO: )  
13 AZZURE FINANCIAL GROUP, INC., )  
14 a Corporation, )  
15 PETER SCALISE, and )  
16 EDWIN B. HETHERTON. )

NO. H-5537 SAC

ORDER TO DESIST AND REFRAIN  
(B&P Code Section 10086)

17 The Commissioner (Commissioner) of the California Department of Real Estate  
18 (Department) caused an investigation to be made of the activities of AZZURE FINANCIAL  
19 GROUP, INC. (AFGI) dba Culp Mortgage, PETER SCALISE (SCALISE), and EDWIN B.  
20 HETHERTON (HETHERTON). Based on that investigation, the Commissioner has determined  
21 that AFGI, SCALISE, and HETHERTON have engaged in, are engaging in, or are attempting to  
22 engage in, acts or practices constituting violations of the California Business and Professions  
23 Code (Code) and/or Title 10, Chapter 6, California Code of Regulations (Regulations) including  
24 acting in the capacity of, advertising, or assuming to act as real estate brokers in the State of  
25 California, within the meaning of Section 10131(d) (mortgage loan activities) of the Code.  
26 Furthermore, based on the investigation, the Commissioner hereby issues the following Findings  
27 of Fact and Desist and Refrain Order under the authority of Section 10086 of the Code.

1 FINDINGS OF FACT

2 1. At no time herein mentioned has AFGI been licensed by the Department in  
3 any capacity.

4 2. At no time herein mentioned has SCALISE been licensed by the Department  
5 in any capacity.

6 3. At no time herein mentioned has HETHERTON been licensed by the  
7 Department in any capacity.

8 4. During the period of time set out below, AFGI, SCALISE, and HETHERTON  
9 negotiated to do one or more of the following acts for another or others, for or in expectation of  
10 compensation: solicited lenders and borrowers for loans secured directly or collaterally by liens  
11 on real property, and arranged, negotiated, processed, and consummated such loans.

12 5. On or about October 12, 2007, AFGI, SCALISE, and HETHERTON acting  
13 through dba Culp Mortgage, negotiated a loan in the amount of \$396,500.00 for Joseph and  
14 Kristin T. secured by real property located in Roseville, CA, wherein AFGI, SCALISE and  
15 HETHERTON fraudulently misrepresented themselves as real estate licensees.

16 CONCLUSIONS OF LAW

17 Based on the Findings of Fact contained in Paragraphs 1 through 5, above, AFGI,  
18 SCALISE, and HETHERTON have performed and/or participated in mortgage loan activities  
19 which require a real estate license under Sections 10130 and 10131(d) of the Code during a  
20 period of time when AFGI, SCALISE, and HETHERTON were not licensed by the Department  
21 in any capacity.

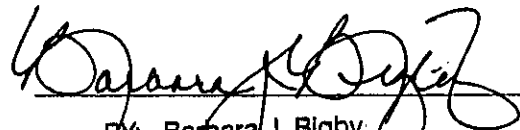
22 DESIST AND REFRAIN ORDER

23 Based upon the Findings of Fact and Conclusions of Law stated herein, you  
24 AZZURE FINANCIAL GROUP, INC. dba Culp Mortgage, PETER SCALISE, and EDWIN B.  
25 HETHERTON, ARE HEREBY ORDERED to immediately Desist and Refrain from performing  
26 any acts within the State of California for which a real estate broker license is required, and in  
27 particular, that you immediately Desist and Refrain from providing or participating in mortgage

1 loan activities for others and for compensation unless and until you, individually, obtain an  
2 appropriate license issued by the Department.

3  
4 DATED: 12/15, 2010

5  
6 JEFF DAVI  
Real Estate Commissioner

7  
8   
9 BY: Barbara J. Bigby  
Chief Deputy Commissioner

10  
11 **- NOTICE -**

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

19 cc: AZZURE FINANCIAL GROUP INC. dba Culp Mortgage  
20 Edwin B. Hetheron, Agent for Service of Process:  
21 1420 E. Roseville Parkway, #140347  
22 Roseville, CA 95661

23 AZZURE FINANCIAL GROUP INC. dba Culp Mortgage  
24 Edwin B. Hetheron, Agent for Service of Process:  
25 1474 Stone Point Dr.  
26 Roseville, CA 95661

PETER SCALISE  
1474 Stone Point Dr.  
Roseville, CA 95661

EDWIN B. HETHERTON  
1474 Stone Point Dr.  
Roseville, CA 95661, CA 95661