FILED

Bureau of Real Estate P. O. Box 137007 Sacramento, CA 95813-7007 Telephone: (916) 263-8679 JUL 1 4 2017

BUREAU OF REAL ESTATE

By (1, 1) (2)

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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LINDA E. MYERS

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No. H-6578 SAC

Respondent.

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

The Real Estate Commissioner of the State of California ("Commissioner") has caused an investigation to be made of the activities of LINDA E. MYERS ("Respondent"), including engaging in the business of, acting in the capacity of, advertising, or assuming to act as a mortgage loan originator within the meaning of Section 10166.01(b) of the California Business & Professions Code ("the Code"). Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that Respondent has violated Section 10166.02 of the Code by engaging in the business as a mortgage loan originator without first having obtained a real estate license endorsement identifying Respondent as a licensed mortgage loan originator.

FINDINGS OF FACT

- 1. At all times mentioned herein, Respondent was licensed by the Bureau as a real estate broker.
- 2. At no time mentioned herein did Respondent hold a mortgage loan originator license endorsement.

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3. At all times mentioned herein, Respondent engaged in the business of, act in the capacity of, or assume to act as a mortgage loan originator within the State of California within the meaning of Section 10166.01(b) of the Code, including taking a residential mortgage loan application and/or offering or negotiating terms of a residential mortgage loan for compensation or gain.

- 4. On or about June 30, 2014, and continuing up to at least September 9, 2014, Respondent solicited borrowers Garcia and Benjamin B., individuals who at all relevant times resided in California, in connection with a residential loan secured directly or collaterally by a lien on real property commonly known as 411 C Street, Biggs, CA 95917 ("the Subject Property").
- 5. On or about June 30, 2014, and continuing up to at least September 9, 2014, Respondent solicited lender Mark Habib and/or The Habib Trust, an individual and/or entity that at all relevant times resided in California, in connection with a residential loan secured directly or collaterally by a lien on the Subject Property.
- 6. Regarding the lenders or borrowers mentioned in Paragraph 5, above, Respondent solicited lenders, solicited borrowers, and negotiated the terms of a residential loan regarding the Subject Property.

CONCLUSIONS OF LAW

Based on the Findings of Fact contained in Paragraphs 1 through 6, Respondent solicited and/or performed services for borrowers, in connection with residential loans secured directly or collaterally by liens on real property or on a business opportunity, for or in expectation of a compensation, without first obtaining a mortgage loan originator license endorsement. Thus, Respondent violated Section 10166.02(b) of the Code.

DESIST AND REFRAIN ORDER

Now, therefore LINDA E. MYERS IS HEREBY ORDERED to immediately desist and refrain from engaging in business within the State of California as a mortgage loan originator, unless and until she obtains a real estate license endorsement identifying her as a licensed mortgage loan originator.

DATED:

WAYNE S. BELL

REAL ESTATÉ COMMISSIONER

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)..."