

1 Department of Real Estate
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4 Telephone: (916) 227-0789

FILED
AUG 16 2002

DEPARTMENT OF REAL ESTATE

By Shelley Ely

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 TO:

12 ASHLEY McIVER, LTD., and
13 ANDREW EUGENE TURNAUER, Jr.
14

) No. H-8168 SF

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

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16 The Real Estate Commissioner of the State of
17 California has caused an investigation to be conducted of the
18 real estate resale brokerage activities of you, ASHLEY McIVER,
19 LTD., individually and doing business as INVESTORS MORTGAGE OF
20 TIBURON, and you ANDREW EUGENE TURNAUER, Jr. (hereinafter
21 referred to collectively as "you"), and is of the opinion that
22 you, ASHLEY McIVER, LTD., have violated Section 10137 of the
23 California Business and Professions Code (hereinafter "the
24 Code"), and that you, ANDREW EUGENE TURNAUER, Jr., have violated
25 Section 10130 of the Code. This opinion is based on the
26 findings set forth below.

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I

At all times herein mentioned, you, ASHLEY McIVER, LTD., were and now are licensed by the Department of Real Estate of the State of California (hereinafter "the Department") as a corporate real estate broker.

II

At all times mentioned herein to and until November 22, 2000, you, ANDREW EUGENE TURNAUER, Jr., were licensed by the Department as a real estate salesperson. Effective November 22, 2000, the real estate salesperson license of ANDREW EUGENE TURNAUER, Jr. expired. At no time mentioned herein since November 22, 2000, were you, ANDREW EUGENE TURNAUER, Jr., licensed by the Department either as a real estate broker or as a real estate salesperson.

III

At all times herein mentioned, you, ASHLEY McIVER, LTD., and you, ANDREW EUGENE TURNAUER, Jr., engaged in the business of, acted in the capacity of, advertised and assumed to act as real estate brokers in the State of California within the meaning of Section 10131(d) of the Code, including the business of the soliciting borrowers and lenders or negotiating loans in connection with loans secured directly or collaterally by liens on real property, wherein such loans were brokered, arranged, processed, and/or consummated on behalf of others.

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IV

At all times mentioned herein you, ASHLEY McIVER, LTD., employed you, ANDREW EUGENE TURNAUER, Jr., to perform the acts and conduct the activities described in Paragraph III, above.

V

Between on or about February 19, 2001 and on or about April 4, 2002, in the course of the activities and employment described in Paragraphs III and IV, above, you, ANDREW EUGENE TURNAUER, Jr., solicited and/or negotiated loans secured by real property in California, in expectation of compensation from or was paid by or otherwise received compensation from ASHLEY McIVER, LTD. in various such transactions, including, but not limited to, the following:

<u>Borrower</u>	<u>Property</u>	<u>Application Date</u>
Grace Muchmore	1810 Wedgemont Place	2/19/01
Marc Goodman	14 Rowan Way	2/20/01
Darly J. Eigen	2280 Paradise Drive	5/1/01
Lewisa Goggin	23 Roscoe Street	12/4/01
Bill Jensen	Not stated	1/4/02

VI

In acting as described above, you, ASHLEY McIVER, LTD., violated Section 10137 of the Code, and you, ANDREW EUGENE TURNAUER, Jr., violated Section 10130 of the Code.

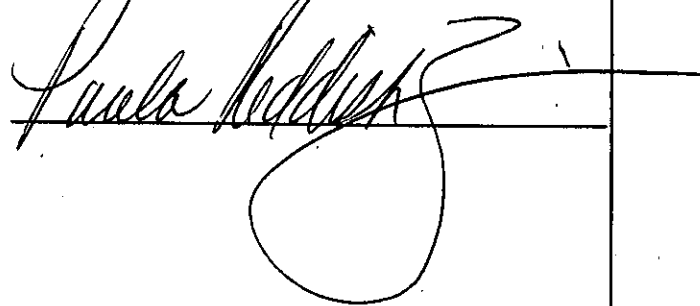
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1 NOW, THEREFORE, YOU, ASHLEY McIVER, LTD., AND YOUR
2 AGENTS AND EMPLOYEES, ARE HEREBY ORDERED TO DESIST AND REFRAIN
3 from employing any person to perform acts for which a real estate
4 license is required until such person has obtained a license from
5 the Department.

6 YOU, ANDREW EUGENE TURNAUER, Jr., ARE HEREBY ORDERED TO
7 DESIST AND REFRAIN from performing any and all acts within the
8 State of California for which a real estate broker license is
9 required, until you have obtained such a license from the
10 Department.

11
12 DATED: August 13, 2002

13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner

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16

17 cc: ANDREW EUGENE TURNAUER, Jr.
18 1690 Tiburon Blvd.
19 Tiburon, CA 94920

20 ASHLEY McIVER, LTD.
21 1690 Tiburon Blvd.
22 Tiburon, CA 94920
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