

1 Department of Real Estate
2 P. O. Box 187000
3 Sacramento, CA 95818-7000
4
5 Telephone: (916) 227-0789
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FILED
JUL 23 2004

DEPARTMENT OF REAL ESTATE

Lucie A. Z...

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 TO:

12 DONALD R. LEW

)
) No. H-8830 SF

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

14
15 The Real Estate Commissioner of the State of
16 California (hereinafter "Commissioner") has determined from
17 evidence available to the California Department of Real Estate
18 (hereinafter "the Department") that you, DONALD R. LEW (herein
19 "you"), individually and ostensibly as an agent of eCASHOUSE,
20 INC. (herein "ECI") and San Francisco Trust Mortgage Brokers,
21 Inc. (herein "Trust Mortgage"), while engaged in activities
22 which require a real estate broker license under the provisions
23 of Section 10131(d) of the California Business and Professions
24 Code (hereinafter "the Code"), violated Section 10130 of the
25 Code.

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27 ///

1 I

2 At no time mentioned herein were you licensed by the
3 Department as either a real estate broker or as a real estate
4 salesperson.

5 II

6 At all times mentioned herein between on or about
7 March 1, 2003 and on or about May 31, 2003, and at other times
8 known to you but not known to the Department, you, ostensibly
9 acting as an agent and employ of ECI, engaged in the business
10 of, acted in the capacity of, advertised, or assumed to act as a
11 real estate broker within the State of California within the
12 meaning of Section 10131(d) of the Code, including the operation
13 and conduct of a mortgage loan brokerage business with the
14 public wherein, on behalf of others, for compensation or in
15 expectation of compensation, you solicited lenders and borrowers
16 for loans secured directly or collaterally by liens on real
17 property, and wherein you arranged, negotiated, processed, and
18 consummated such loans.

19 III

20 On or about March 3, 2003, in course of the agency and
21 employment described in Paragraph II, above, you solicited and
22 obtained an application by Bruce Blankenhorn for a \$267,225 loan
23 to be secured by a deed of trust encumbering real property at
24 455 Cross Street, Napa, California to be arranged by ECI to
25 finance the purchase and rehabilitation of the Cross Street
26 property, and thereafter arranged, negotiated, and processed
27 such loan.

1 IV

2 On or about March 24, 2003, in course of the agency
3 and employment described in Paragraph II, above, you solicited
4 and obtained an application by DAN R. PETER for a \$423,770 loan
5 to be secured by a deed of trust encumbering real property at
6 1271 Audubon Avenue, Montara, California to be arranged by ECI
7 to refinance an existing loan encumbering the Audubon Avenue
8 property, and thereafter arranged, negotiated, and processed
9 such loan.

10 V

11 On or about May 4, 2003, in course of in course of the
12 agency and employment described in Paragraph II, above, you
13 solicited and obtained an application by MIN HO KIM for a
14 \$250,000 loan to be secured by a deed of trust encumbering real
15 property at Rae Drive, Orinda, California to be arranged by ECI
16 to refinance an existing loan encumbering the Rae Drive
17 property, and thereafter arranged, negotiated, and processed
18 such loan.

19 VI

20 On or about November 19, 2001, and at other times
21 well known to you but not known to the Department, you,
22 ostensibly as an agent and employee of Trust Mortgage, engaged
23 in the business of, acted in the capacity of, advertised, or
24 assumed to act as a real estate broker within the State of
25 California within the meaning of Section 10131(d) of the Code,
26 including the operation and conduct of a mortgage loan brokerage
27 business with the public wherein, on behalf of others, for

1 compensation or in expectation of compensation, you solicited
2 lenders and borrowers for loans secured directly or collaterally
3 by liens on real property, and wherein you arranged, negotiated,
4 processed, and consummated such loans.

5 VII

6 On or about November 17, 2003, in course of the agency
7 and employment described in Paragraph VI, above, you solicited
8 and obtained an application by WON MO KIM for a \$268,000 loan to
9 be secured by a deed of trust encumbering real property at 4020
10 Balboa Street, San Francisco, California, to be arranged by
11 MORTGAGE TRUST to refinance an existing loan encumbering the
12 Balboa Street property, and thereafter arranged, negotiated, and
13 processed such loan.

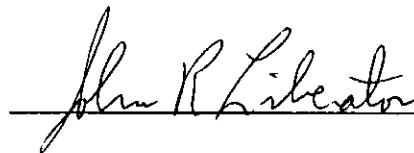
14 VIII

15 In acting as described above, you violated Section
16 10130 of the Code.

17 NOW, THEREFORE, YOU, DONALD R. LEW, AND YOUR AGENTS
18 AND EMPLOYEES, ARE HEREBY ORDERED TO DESIST AND REFRAIN from
19 performing any activities for which a real estate license is
20 required unless you comply with Section 10130 of the Code.

21 DATED: July 16, 2004

22 JOHN R. LIBERATOR
23 Acting Real Estate Commissioner

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25

26 cc: DONALD R. LEW
27 4933 LAUREL DRIVE
CONCORD, CA 94521