

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0791

FILED
JUN 26 2009
DEPARTMENT OF REAL ESTATE
By *L. Frost*

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

10 * * *

11 TO:)	
)	NO. H-10619 SF
12 TOM PONGRU aka TOM PONGRUJAPORN)	
13 aka YUATANA PONGRUJAPORN, doing)	FIRST AMENDED
14 business as QUICKLOAN2U.NET)	ORDER TO DESIST AND REFRAIN
)	(B&P Code Section 10086)
)	

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16 The Commissioner (hereinafter "Commissioner") of the California Department

17 of Real Estate (hereinafter "Department") caused an investigation to be made of the activities of

18 TOM PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA

19 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET. Based

20 on that investigation, the Commissioner has determined that TOM PONGRU, also known as

21 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business

22 under the fictitious name of QUICKLOAN2U.NET has engaged in, is engaging in, or is

23 attempting to engage in, acts or practices constituting violations of the California Business and

24 Professions Code (hereinafter "Code") and/or Title 10, California Code of Regulations

25 (hereinafter "Regulations"), including engaging in the business of, acting in the capacity of,

26 advertising, or assuming to act as, a real estate broker in the State of California within the

27 meaning of Section 10131(d) (performing services for borrowers in connection with loans

1 secured by real property) of the Code. Based on the findings of that investigation, as set forth
2 below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law,
3 and Desist and Refrain Order under authority of Section 10086 of the Code.

4 FINDINGS OF FACT

5 1. At no time herein mentioned has TOM PONGRU, also known as TOM
6 PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business under
7 the fictitious name of QUICKLOAN2U.NET, been licensed by the Department in any capacity.

8 2. During the period of time set out below, TOM PONGRU, also known as
9 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business
10 under the fictitious name of QUICKLOAN2U.NET, solicited borrowers and lenders and
11 negotiated to do one or more of the following acts for another or others, for or in expectation of
12 compensation: negotiate one or more loans for, or perform services for borrowers and/or lenders
13 in connection with loans secured directly or collaterally by one or more liens on real property.

14 3. For an unknown period of time prior to April 29, 2007, until and
15 including June 1, 2009, TOM PONGRU, also known as TOM PONGRUJAPORN, and also
16 known as YUATANA PONGRUJAPORN, doing business under the fictitious name of
17 QUICKLOAN2U.NET, for or in expectation of compensation, solicited Ralph Phillip Kiehl and
18 Cynthia Jo Kiehl as borrowers for the purpose of obtaining a loan to be secured by the
19 borrowers' real property, commonly known as 13986 Mataliza Court in Phelan, San Bernardino
20 County, California, in violation of Sections 10130 and 10131(d) of the Code.

21 4. On or about May 8, 2007, TOM PONGRU, also known as TOM
22 PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business under
23 the fictitious name of QUICKLOAN2U.NET, for or in expectation of compensation, solicited
24 Ralph Phillip Kiehl and Cynthia Jo Kiehl as borrowers for the purpose of obtaining a loan to be
25 secured by the borrowers' real property, commonly known as 13986 Mataliza Court in Phelan,
26 San Bernardino County, California, negotiated for, demanded and collected from said
27 borrowers, an advance fee of \$1,000.00 pursuant to a written agreement with said borrowers

1 without first obtaining approval of an advance fee agreement from the Commissioner in
2 violation of Sections 10085 and 10085.5 of the Code.

3 CONCLUSIONS OF LAW

4 5. Based on the information contained in paragraphs 1 through 4, TOM
5 PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA
6 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET,
7 solicited borrowers and lenders, negotiated loans, and performed services for those borrowers
8 and/or those borrowers' lenders in connection with loans secured or to be secured directly or
9 collaterally by one or more liens on real property, which requires a real estate license under
10 Section 10131(d) of the Code, during a period of time when TOM PONGRU, also known as
11 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business
12 under the fictitious name of QUICKLOAN2U.NET, was not licensed by the Department in any
13 capacity and demanded and collected advance fees in violation of Section 10085.5 of the Code.

14 6. Based on the information contained in paragraphs 1 through 4, TOM
15 PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA
16 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET, also
17 violated Section 10139 of the Code, which violation is a public offense punishable by a fine not
18 exceeding twenty thousand dollars (\$20,000.00), or by imprisonment in the county jail for a
19 term not to exceed six months, or by both fine and imprisonment or, when violated by a
20 corporation, punishable by a fine not exceeding sixty thousand dollars (\$60,000.00).

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1 (ii) Placed all previously collected advance fees into a trust account for that
2 purpose and are in compliance with Section 10146 of the Code; and,

3 (iii) Provided an accounting to trust fund owner-beneficiaries pursuant to
4 Section 2972 of the Regulations.

5 DATED: 6/23/09

6 JEFF DAVI
7 Real Estate Commissioner

8 By 
9 BARBARA BIGBY
10 Chief Deputy Commissioner

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: TOM PONGRU,
20 aka TOM PONGRUJAPORN
21 aka YUATANA PONGRUJAPORN,
22 dba QUICKLOAN2U.NET
23 517 Highland Avenue
Half Moon Bay, CA 94019

24 TOM PONGRU,
25 aka TOM PONGRUJAPORN
26 aka YUATANA PONGRUJAPORN,
27 dba QUICKLOAN2U.NET
20 Stone Pine Avenue
Half Moon Bay, CA 94019

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2 P. O. Box 187007
3 Sacramento, CA 95818-7007

4 Telephone: (916) 227-0791

FILED

MAR - 4 2009

DEPARTMENT OF REAL ESTATE

By R. Henry

7
8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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11 TO:)
12)
13 TOM PONGRU aka)
14 TOM PONGRUJAPORN and)
QUICKLOAN2U.NET)

NO. H-10619 SF

ORDER TO
DESIST AND REFRAIN

15
16 The Real Estate Commissioner of the State of California (hereinafter
17 "Commissioner") has caused an investigation to be made of your activities, and based upon the
18 findings herein below set forth, is of the opinion that you, TOM PONGRU and you,
19 QUICKLOAN2U.NET have violated Section 10130 of the California Business and Professions
20 Code (hereinafter the "Code") by engaging in the business of or acting as a real estate
21 salesperson or broker, within the meaning of Sections 10085.5, 10130 and 10131(d) of the Code
22 without first having obtained a real estate license from the California Department of Real Estate
23 (hereinafter the "Department").

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25 At no time herein mentioned were you, TOM PONGRU dba
26 QUICKLOAN2U.NET, licensed by the Department as a real estate broker or salesperson, as
27 appropriate.

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On or about May 3, 2007, you, TOM PONGRU dba QUICKLOAN2U.NET entered into a Commercial Fee Agreement (hereinafter the "Agreement") with Ralph and Cynthia Kiehl (hereinafter the "Kiehls") to obtain a loan on the real property located at 13986 Mataliza Ct., Phelan on their behalf and charged or collected an advanced fee of \$1,000 pursuant to the Agreement.

3

During the period beginning in or about May 2007 and continuing, you, TOM PONGRU dba QUICKLOAN2U.NET, among other things, solicited and/or performed services for borrowers, including but not limited to, the Kiehls, 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.

4

The acts you, TOM PONGRU dba QUICKLOAN2U.NET performed, for or in expectation of compensation, described in Paragraphs 2 and 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.

5

You, TOM PONGRU dba QUICKLOAN2U.NET, violated Sections 10085.5 and 10130 of the Code by engaging in the activities described above in Paragraphs 2 and 3 without first obtaining a real estate salesperson or broker license from the Department.

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NOW THEREFORE, YOU, TOM PONGRU DBA QUICKLOAN2U.NET, 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: 3/3, 2009

JEFF DAVI
Real Estate Commissioner



ATTY/DBS