

FILED

OCT - 8 2009

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DEPARTMENT OF REAL ESTATE



STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

11 To:

12 JAMES E. EDGERLY,  
13 dba THE ENTERPRISE ZONE INC.,  
14 and/or any other names or  
Fictitious names

No. H-10766 SF

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

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16 The Commissioner (Commissioner) of the California Department of Real Estate  
17 (Department) caused an investigation to be made of the activities of JAMES E. EDGERLY,  
18 doing business as THE ENTERPRISE ZONE INC. (EDGERLY). Based on the investigation,  
19 the Commissioner has determined that EDGERLY has engaged in, is engaging in, or is  
20 attempting to engage in, acts or practices constituting violations of the California Business and  
21 Professions Code (Code) and/or Title 10, Chapter 6, California Code of Regulations  
22 (Regulations), including the business of, acting in the capacity of, and/or advertising or assuming  
23 to act as, a real estate broker in the State of California within the meaning of Section 10131(d)  
24 (performing services for borrowers in connection with loans secured by real property) of the  
25 Code. Furthermore, based on the investigation, the Commissioner hereby issues the following  
26 Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of  
27 Section 10086 of the Code.

1 Whenever acts referred to below are attributed to EDGERLY, those acts are  
2 alleged to have been done by EDGERLY, acting by himself, or by and/or through one or more  
3 agents, associates, affiliates, and/or co-conspirators, and using the names THE ENTERPRISE  
4 ZONE INC., THE ENTERPRISE ZONE, or other names or fictitious names unknown at this  
5 time.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has EDGERLY been licensed by the  
8 Department in any capacity.

9 2. During the period of time set out below, EDGERLY solicited one or  
10 more borrowers and negotiated to do one or more of the following acts for another or others,  
11 for or in expectation of compensation: negotiate one or more loans for, or perform services for,  
12 borrowers and/or lenders in connection with loans secured directly or collaterally by one or  
13 more liens on real property; and charge, demand or collect an advance fee for any of the  
14 services offered, in violation of Sections 10130 (real estate broker license required to perform  
15 certain acts), 10085.5 (real estate broker license required to charge or collect an advance fee),  
16 and 10139 (criminal penalties for unlicensed activity) of the Code.

17 3. On or about February 3, 2009, EDGERLY entered into an agreement  
18 with Rosa Wilridge (Wilridge) concerning her property located at 8117 Sunkist Drive,  
19 Oakland, CA, in which EDGERLY would negotiate a loan modification for Wilridge's loan  
20 from Saxon Mortgage Services (Saxon), and Wilridge agreed to pay, and did pay to  
21 EDGERLY, as his fee for services, the sum of \$3,000, in violation of Sections 10130 and  
22 10085.5, and 10139 of the Code.

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