

1 Department of Real Estate
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 (213) 576-6982

FILED
MAR 21 2001
DEPARTMENT OF REAL ESTATE

By K. Kiedrich

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-28992 LA
)	
12 THE ARGUS GROUP)	<u>ORDER TO DESIST</u>
13 and CHARLES EDWARD BERCY)	<u>AND REFRAIN</u>
)	
14 _____)	

15 The Real Estate Commissioner of the State of California
16 has caused an investigation to be made of your activities as a
17 real estate broker, and based on the findings of that
18 investigation, is of the opinion that THE ARGUS GROUP and CHARLES
19 EDWARD BERCY have violated Sections 10145(b), 10229(f) and 10234
20 of the Business and Professions Code.

21 I

22 That at all times herein mentioned, you, THE ARGUS
23 GROUP, were licensed by the Department of Real Estate of the
24 State of California (hereinafter Department) as a corporate
25 real estate broker and CHARLES EDWARD BERCY was licensed as
26 the designated officer of said corporation.

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II

At all times herein mentioned, you, THE ARGUS GROUP, on behalf of others in expectation of compensation, engaged in the business, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the Code, including soliciting borrowers and lenders and negotiating loans secured directly by liens on real property.

III

During 2000, in connection with the aforesaid real estate brokerage activities, you, THE ARGUS GROUP, accepted or received funds from borrowers and lenders and thereafter made disbursements of such funds.

IV

In connection with your activities as a real estate broker, as described above, you, THE ARGUS GROUP and CHARLES EDWARD BERCY, acted in violation of the Real Estate Law as follows:

1. Violated Section 10145(d) of the Code in that notes owned by you and sold to private investors were not exchanged simultaneously nor were the funds deposited into a neutral escrow depository.

2. Violated 10229(f) of the Code in that multi-lender loans were not recorded in favor of the lenders.

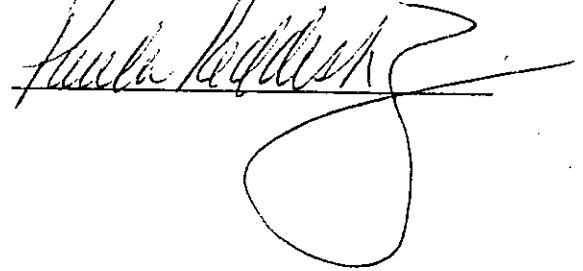
3. Violated Section 10234 of the Code in that not all trust deeds or assignments of trust deeds were recorded

1 in favor of the lenders within ten days following the
2 release of the lenders funds.
3

4 NOW, THEREFORE, YOU, THE ARGUS GROUP AND CHARLES
5 EDWARD BERCY, ARE ORDERED TO DESIST AND REFRAIN from
6 performing any and all activities for which a real estate
7 broker license is required until you comply with all
8 provisions of the Real Estate Law as discussed in this
9 Order.

10 DATED: March 8, 2001
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13 PAULA REDDISH ZINNEMANN
14 Real Estate Commissioner
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cc: The Argus Group
Charles Edward Bercy
16633 Ventura Blvd., Suite 1330
Encino, CA 91436

JRP:RJ:kw