Department of Real Estate 320 West 4th Street, Ste. 350 Los Angeles, California 90013-1105

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DEPARTMENT OF REAL ESTATE

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BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

MICHAEL SMITH

(213) 576-6982

No. H-34472 LA

ORDER TO DESIST

AND REFRAIN

The Real Estate Commissioner of the State of California (Commissioner) has caused an investigation to be conducted of your activities, as described herein, and based upon the findings of that investigation, is of the opinion that:

YOU, MICHAEL SMITH ("SMITH"), have violated Section 10130 of the California Business and Professional Code ("Code").

1.

At no time herein mentioned, were YOU, SMITH licensed by the Department of Real Estate of the State of California (Department) as a real estate broker or a real estate salesperson employed by a real estate broker.

2.

On January 17, 2007, the Department completed an audit examination of the books and records of Goodyear Home Loan Corporation pertaining to its residential resale, mortgage loan and broker controlled escrow activities that require a real estate license. The audit examination covered a period of time beginning on June 1, 2005 to September 30, 2006. The audit examination revealed violations of the Code including the unlicensed loan agent activity of you, SMITH.

3.

At all times mentioned, in the City of Corona, County of Orange, you, SMITH, where you were ostensibly self-employed as a "transaction coordinator". In truth and in fact, You, SMITH, in acted as a real estate broker and as an unlicensed sales agent where you negotiated and arranged real estate sales pursuant to Code Section 10131(a) requiring a real estate license.

4.

In the course of activities described in Paragraph 3 above, and during the examination period described in Paragraph 2, you, SMITH acted in violation of the Code in that you, on or about May 15, 2006 through May 26, 2006, acted in the capacity as a real estate broker and sales agent for seller Ursela Cato's sale of her property located at 314 West Glencoe Street, Compton, by arranging and negotiating the purchase terms and conditions and by claiming you were the owner of Goodyear Home Loan

Corporation, a corporate real estate broker.

5.

Your conduct, SMITH, as described in Paragraphs 3 and 4, is in violation of Code Section 10130.

NOW, THEREFORE, YOU, MICHAEL SMITH, ARE ORDERED TO DESIST AND REFRAIN from performing any and all acts requiring a real estate license in California unless and until you are licensed by the Department of Real Estate.

DATED ______, 2007.

JEFF DAVI Real Fstate Commissioner

cc: Michael Smith

c/o Goodyear Home Loan Corporation 430 River Read #D, Corona CA 92880

Michael Smith
7244 New Mexico Court

Fontana, Ca 92337