

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105
4 Telephone: (213) 576-6982

FILED
MAY 12, 2009
DEPARTMENT OF REAL ESTATE

By em

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7
8 BEFORE THE DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * *

11 To:) NO. H-35960 LA
12)
13 NEWPORT FUNDING LLC,) ORDER TO DESIST
14 GARY DI GIROLAMO, and) AND REFRAIN
15 TREVOR DI GIROLAMO.)

16 The Real Estate Commissioner of the State of
17 California ("Commissioner") has caused an investigation to be
18 made of your activities requiring a real estate license and,
19 based on the findings of that investigation, as set forth
20 below, is of the opinion that you, NEWPORT FUNDING LLC, you,
21 GARY DI GIROLAMO, and you, TREVOR DI GIROLAMO, have violated
22 Section 10130 of the Business and Professions Code ("Code").

23 1.

24 At all times relevant herein, you, NEWPORT FUNDING
25 LLC, are and were a California Limited Liability Company. You,
26 NEWPORT FUNDING LLC, are not now and have never been licensed
27

1 by the Department of Real Estate of the State of California
2 ("Department") as a real estate broker.

3 2.

4 At all times relevant herein, you, GARY DI GIROLAMO,
5 were and are a partner of NEWPORT FUNDING LLC. You, GARY DI
6 GIROLAMO, are not now and have never been licensed by the
7 Department as a real estate broker or as a real estate
8 salesperson employed by a broker.

9 3.

10 At all times relevant herein, you, TREVOR DI
11 GIROLAMO, were and are a partner of NEWPORT FUNDING LLC. You,
12 TREVOR DI GIROLAMO, are not now and have never been licensed by
13 the Department as a real estate broker or as a real estate
14 salesperson employed by a broker.

15 4.

16 During a period of time beginning approximately July
17 of 2006 continuing to the present time, you, NEWPORT FUNDING
18 LLC, you, GARY DI GIROLAMO, and you, TREVOR DI GIROLAMO,
19 engaged in the business of, acted in the capacity of,
20 advertised or assumed to act as real estate brokers in the
21 State of California, within the meaning of Code Sections
22 10131(d), for or in expectation of compensation. Your
23 activities included the operation of or conduct of a real
24 property sales business with the public wherein you engaged in
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1 the negotiation and solicitation of borrowers and lenders for
2 loans secured by residential real property. Said activities
3 included representing borrowers in negotiating and modifying
4 terms and obtaining loans secured by real property.

5 5.

6 Specifically, you, GARY DI GIROLAMO, represented
7 Zhiyong Shen in refinancing his mortgage loan secured by
8 property located at 38475 Timpanogas Circle, Fremont, CA 94536.
9 You corresponded via email with Mr. Shen, negotiating and
10 explaining loan terms to him. You, GARY DI GIROLAMO, and you,
11 TREVOR DI GIROLAMO, through your partnership, NEWPORT FUNDING
12 LLC, were paid \$13,775.00 from escrow as compensation for your
13 loan brokering activities upon close of escrow on or about
14 November 29, 2006.

16 6.

17 You, GARY DI GIROLAMO, doing business as NewPort
18 Financial LLC and doing business as Mission Loans, represented
19 borrower Chet Reilly in refinancing his mortgage loan secured
20 by property located at 2551 19th Avenue, Kingsburg, CA 93631-
21 1250. You, GARY DI GIROLAMO, solicited Mr. Reilly for loan
22 business, negotiated loan terms, assisted him in applying for
23 loans, and provided him with documentation including Truth in
24 Lending disclosures. You, GARY DI GIROLAMO, and you TREVOR DI
25 GIROLAMO, through your partnership, NEWPORT FUNDING LLC, were
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1 paid \$8,223.44 as compensation for your loan broker activities
2 upon close of escrow on or about August 28, 2006.

3 7.

4 Your acts as described in Paragraphs 4, 5 and 6
5 above, are acts requiring a real estate broker license under
6 the provisions of Code Sections 10131(d).

7 8.

8 You, NEWPORT FUNDING LLC, you, GARY DI GIROLAMO, and
9 you, TREVOR DI GIROLAMO, violated Code Section 10130 by
10 engaging in the activities described in Paragraphs 4, 5, and 6
11 above, without first obtaining a real estate broker license
12 from the Department.
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1 NOW, THEREFORE, YOU, NEWPORT FUNDING LLC, YOU, GARY
2 DI GIROLAMO, and YOU, TREVOR DI GIROLAMO, ARE ORDERED TO DESIST
3 AND REFRAIN from performing any and all acts within the State
4 of California for which a real estate broker license is
5 required, within the meaning of Code Section 10131, unless and
6 until you obtain a real estate broker license or a real estate
7 salesperson license and are employed by a real estate broker.

8 DATED: _____

9 5-16/2009
10 JEFF DAVI
11 Real Estate Commissioner
12 
13 _____

14 cc: Newport Funding LLC
15 27895 Trocadero
16 Mission Viejo, CA 92692-1227

17 25283 Cabot Rd. Ste. 226
18 Laguna Hills, CA 92653-5534

19 Gary Di Girolamo
20 27895 Trocadero
21 Mission Viejo, CA 92692-1227

22 28011 Sheffield
23 Mission Viejo, CA 92692

24 Trevor Di Girolamo
25 27895 Trocadero
26 Mission Viejo, CA 92692-1227
27