

Handwritten notes:
2009
Section 10

1 DEPARTMENT OF REAL ESTATE
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 (213) 576-6982

FILED
JUN 03 2009
DEPARTMENT OF REAL ESTATE

Signature:
By Janice B. Brown

8 STATE OF CALIFORNIA

9 DEPARTMENT OF REAL ESTATE

11 To:)	
)	NO. H-36019 LA
12 MICHAEL STANLEY SIMS,)	
13 dba ADVANTAGE CAPITAL GROUP,)	ORDER TO DESIST AND
14 and/or any other names or fictitious names)	REFRAIN
15 used by MICHAEL STANLEY SIMS; and to)	(B&P Code Section 10086)
VICTOR MAGLIO.)	

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17 The Commissioner (Commissioner) of the California Department of Real Estate

18 (Department) caused an investigation to be made of the activities of MICHAEL STANLEY

19 SIMS (SIMS) and VICTOR MAGLIO (MAGLIO). Based on that investigation, the

20 Commissioner has determined that SIMS and MAGLIO have engaged in, are engaging in, or are

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

22 Professions Code (Code), including violating Code Section 10130 by engaging in the business of,

23 acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State

24 of California within the meaning of Code Section 10131(d) (performing services for borrowers in

25 connection with loans secured by real property). Furthermore, based on the investigation, the

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1 Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and
2 Refrain Order under the authority of Section 10086 of the Code.

3 Whenever acts referred to below are attributed to SIMS, those acts are alleged to have been
4 done by SIMS, acting by himself, or by and/or through one or more agents, associates, affiliates,
5 and/or co-conspirators, including, but not limited to MAGLIO, and using the name "Advantage
6 Capital Group", or other names or fictitious names unknown at this time.
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8 FINDINGS OF FACT

9 1. SIMS is not now, and has never been, licensed by the Department in any capacity. SIMS is
10 registered under the business name "Advantage Capital Group" in the County of Riverside,
11 California.

12 2. MAGLIO was licensed by the Department as a real estate salesperson on October 18, 2006.
13 On April 19, 2008, his license was placed under conditional suspension for failure to satisfy
14 continuing education requirements under Code Section 10153.4. MAGLIO is not now, and has
15 never been, licensed by the Department as a real estate broker.

16 3. SIMS and/or MAGLIO solicited borrowers and negotiated to do one or more of the
17 following acts for another or others, for or in expectation of compensation: negotiate one or more
18 loans for, or perform services for, borrowers and/or lenders in connection with loans secured
19 directly or collaterally by one or more liens on real property; and charge, demand or collect an
20 advance fee for any of the services offered.

21 4. SIMS and/or MAGLIO advertised, and continue(s) to advertise, services under one
22 or more business names including, but not limited to, "Advantage Capital Group" in various print
23 and electronic media, including a website located at <http://advantagecapitalgroup.com>. Those
24 advertisements solicited, and continue to solicit, borrowers, offering loan modification services.

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CONCLUSIONS OF LAW

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2 5. Based on the findings of fact contained in paragraphs 1 through 4, SIMS, acting by himself,
3 or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including,
4 but not limited to MAGLIO, and using the name "Advantage Capital Group", or other names or
5 fictitious names unknown at this time, solicited borrowers to negotiate loans or perform services,
6 in connection with loans secured directly or collaterally by one or more liens on real property.
7 These acts, which require a real estate broker license under Section 10131(d) of the Code, were
8 performed during a period of time when SIMS was not licensed by the Department as a real
9 estate broker, a violation of Code Section 10130.

10 6. Based on the findings of fact contained in paragraphs 1 through 4, MAGLIO, acting by
11 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
12 including, but not limited to SIMS, and using the name "Advantage Capital Group", or other
13 names or fictitious names unknown at this time, solicited borrowers to negotiate loans or perform
14 services, in connection with loans secured directly or collaterally by one or more liens on real
15 property. These acts, which acts require a real estate broker license under Section 10131(d) of
16 the Code, were performed during a period of time when MAGLIO was not licensed by the
17 Department as a real estate broker, a violation of Code Section 10130.

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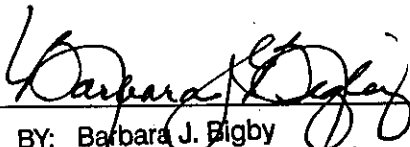
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3 DESIST AND REFRAIN ORDER

4 Based on the Findings of Fact and Conclusions of Law stated herein, you,
5 MICHAEL STANLEY SIMS and VICTOR MAGLIO, whether doing business under your own
6 names, or any other names or fictitious names, ARE HEREBY ORDERED to DESIST and
7 REFRAIN from performing any and all acts for which a real estate license is required until such
8 time as you obtain the required license from the Department.

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11 DATED: 5/29, 2009

12 JEFF DAVI
13 Real Estate Commissioner

14 By 
15 BY: Barbara J. Bigby
16 Chief Deputy Commissioner

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18 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
19 real estate broker or real estate salesperson without a license or who advertises using words
20 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
21 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
22 imprisonment in the county jail for a term not to exceed six months, or by both fine and
23 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
24 (\$60,000)."

25 cc: Michael Stanley Sims, dba Advantage Capital Group
26 2741 Hamner Ave, Suite 201
27 Norco, CA 92860

Victor Maglio
1678 Southport Drive
Riverside, CA 92506