

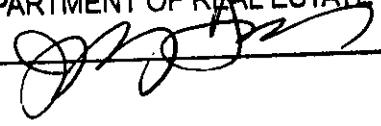
2/9/09

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

3 Telephone: (213) 576-6982

**FILED**

JUN - 9 2009

DEPARTMENT OF REAL ESTATE  
BY: 

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DEPARTMENT OF REAL ESTATE  
STATE OF CALIFORNIA

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To:	)	No. H-36038 LA
	)	
CALLISTO GROUP INC., doing	)	
business as Jupiter Proper-	)	
ties and Metro Lending	)	<u>ORDER TO DESIST</u>
Services; IRMA AVAKIAN,	)	<u>AND REFRAIN</u>
individually, and as desig-	)	(B&P Code Section 10086)
nated officer for Callisto	)	
Group Inc.	)	
	)	
	)	
	)	

The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of CALLISTO GROUP INC. ("CALLISTO"), doing business as Jupiter Properties and as Metro Lending Services, and IRMA AVAKIAN ("AVAKIAN"), individually, and as designated officer for Callisto Group Inc. Based on that investigation the Commissioner has determined that CALLISTO and AVAKIAN have engaged in or are engaging in activities which constitute violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations

1 ("Regulations"), including engaging in the business, acting in  
2 the capacity of, advertising or assuming to act as a real estate  
3 broker in the State of California within the meaning of Code  
4 Section 10131(d) (performing services for borrowers in connection  
5 with loans secured by real property). Based on the findings of  
6 that investigation, set forth below, the Commissioner hereby  
7 issues the following Findings of Fact, Conclusions of Law, and  
8 Desist and Refrain Order under the authority of Section 10086 of  
9 the Code.

10 FINDINGS OF FACT

11 1. CALLISTO is presently licensed and/or has license  
12 rights under the Real Estate Law (Part 1 of Division 4 of the  
13 Code) as a real estate corporation.

14 2. AVAKIAN is presently licensed and/or has license  
15 rights under the Real Estate Law as a real estate broker.

16 AVAKIAN is the designated officer of CALLISTO.

17 3. Whenever acts referred to below are attributed to  
18 CALLISTO, those acts are alleged to have been done by CALLISTO,  
19 acting by itself, or by and/or through one or more agents,  
20 associates, affiliates, and/or co-conspirators, including, but  
21 not limited to AVAKIAN, and using the name CALLISTO or any  
22 fictitious name unknown at this time.

23 4. In or around August, 2008, CALLISTO distributed a  
24 written solicitation ("Solicitation") for the making of a loan to  
25 Ron Mullan or "Current Resident" at 2316 Poppy Drive, Burlingame,  
26 California which was false and misleading in that, among other  
27

1 things, it did the following:

2 a. The Solicitation implied that it was being sent  
3 from a governmental agency though it did not contain a disclosure  
4 in conspicuous and legible type stating: "THIS PRODUCT OR  
5 SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY ANY GOVERNMENT  
6 AGENCY AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE  
7 GOVERNMENT."

8 b. The Solicitation contained the recipient's loan  
9 number and/or account number without disclosing that the  
10 solicitation is not sponsored by, affiliated with, or authorized  
11 or provided by the recipient's lender.

12 c. The Solicitation stated that "[t]he Economic  
13 Stimulus Bill is a special approval program obtainable through  
14 the Government Regulated Agencies . . . ." though no governmental  
15 agency provides loan approval in connection with the Economic  
16 Stimulus Bill.

17 5. The Solicitation failed to fully disclose real  
18 estate licensing information for CALLISTO and/or AVAKIAN  
19 including but not limited to the statement: "Real Estate Broker,  
20 California Department of Real Estate."

21 CONCLUSIONS OF LAW

22 6. Based on the information contained in Paragraph 4,  
23 above, CALLISTO and AVAKIAN violated Code Section 10235 in that  
24 they knowingly advertised, printed, displayed, published,  
25 distributed, or caused or permitted to be advertised, printed,  
26 displayed, published, distributed, statements or representations  
27 with regard to the rates, terms, or conditions for making,

1 purchasing, or negotiating loans on real property which were  
2 false, misleading, or deceptive.

3           7. Based on the information contained in Paragraph 4,  
4 above, CALLISTO and AVAKIAN violated Code Section 17533.6 and  
5 Section 2848(12) of the Regulations by making solicitations for  
6 the making or arranging of a loan that contained a term or symbol  
7 that reasonably could be interpreted or construed as implying a  
8 government connection, approval, or endorsement, which failed to  
9 bear the following:

10           (a) With respect to the face of the solicitation, the  
11 language: "THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR  
12 ENDORSED BY ANY GOVERNMENT AGENCY, AND THIS OFFER IS NOT BEING  
13 MADE BY AN AGENCY OF THE GOVERNMENT," and,

14           (b) In the case of a mailed solicitation, an envelope  
15 or outside cover or wrapper bearing the notice: "THIS IS NOT A  
16 GOVERNMENT DOCUMENT."

17           8. Based on the information contained in Paragraph 4,  
18 above, CALLISTO and AVAKIAN violated Code Section 14702 in that  
19 they made solicitations for the making or arranging of a loan  
20 that included a consumer's loan number or loan amount without  
21 obtaining the consent of the consumer, and which failed to state  
22 that CALLISTO and AVAKIAN are not sponsored by or affiliated with  
23 the lender and that the solicitation is not authorized by the  
24 lender.

25           9. Based on the information contained in Paragraph  
26 4, above, CALLISTO and AVAKIAN violated Code Section 10236.4 and  
27 Section 2847.3 of the Regulations in that they placed one or

1 more advertisements disseminated primarily in the State of  
2 California for the making or arranging of a loan, including a  
3 solicitation for borrowers or potential investors, that failed  
4 to disclose within the printed text of the advertisement, or the  
5 oral text in the case of a radio or television advertisement,  
6 the identity of the real estate broker along with the applicable  
7 license number and the identity of the Department as the issuer  
8 of the license.

9 DESIST AND REFRAIN ORDER

10 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW  
11 stated herein, it is hereby ordered that CALLISTO GROUP INC. and  
12 IRMA AVAKIAN whether doing business under the name CALLISTO GROUP  
13 INC. or the name IRMA AVAKIAN or any other names, or any  
14 fictitious name, immediately desist and refrain from  
15 disseminating solicitations for the making or arranging of a  
16 loan(s) secured by real property until they have complied with  
17 all provisions of the Real Estate Law as discussed in this Order.

18 DATED: 6-3, 2009.

19  
20 JEFF DAVI  
Real Estate Commissioner

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24 cc: Callisto Group Inc.  
25 550 N. Brand Boulevard, Suite 2050  
Glendale, California 91203

26 Irma Avakian  
27 550 N. Brand Boulevard, Suite 2050  
Glendale, California 91203