

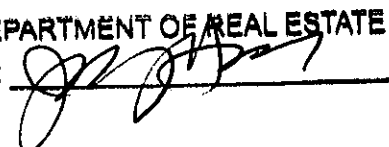
1 Department of Real Estate
2 320 West Fourth Street, Ste. 350
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

FILED

AUG 19 2009

DEPARTMENT OF REAL ESTATE

BY: 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

To:	)	No. H-36183 LA
	)	
ISAAC DARYL SENY, indivi-	)	
dually, and doing business	)	
as Power Mortgage and	)	<u>ORDER TO DESIST</u>
A V Realty,	)	<u>AND REFRAIN</u>
	)	(B&P Code Section 10086)
	)	
	)	
	)	

17 The Commissioner ("Commissioner") of the California
18 Department of Real Estate ("Department") caused an investigation
19 to be made of the activities of ISAAC DARYL SENY ("SENY"),
20 individually, as doing business as Power Mortgage and A V Realty.
21 Based on that investigation the Commissioner has determined that
22 SENY has engaged in or is engaging in the business, acting in the
23 capacity of, advertising or assuming to act as a real estate
24 broker in the State of California within the meaning of
25 California Business and Professions Code ("Code") Section
26 10131(d) (performing services for borrowers in connection with
27 loans secured by real property). In addition, the Commissioner

1 has determined that SENY has engaged in activities which
2 constitute violations of the Code and Title 10, California Code
3 of Regulations ("Regulations"). Based on the findings of that
4 investigation, set forth below, the Commissioner hereby issues
5 the following Findings of Fact, Conclusions of Law, and Desist
6 and Refrain Order under the authority of Section 10086 of the
7 Code.

8 FINDINGS OF FACT

9 1. SENY is presently licensed and/or has license rights
10 under the Real Estate Law (Part 1 of Division 4 of the Code) as a
11 real estate broker.

12 2. In or around March, 2008, SENY distributed a written
13 advertisement for the making of a loan which was false and
14 misleading in that, among other things, it did the following:

15 a. The advertisement set forth a simple annual
16 interest rate without an equally prominent disclosure of the
17 annual percentage rate.

18 b. The advertisement stated that a loan is available
19 for "0" points, which is misleading to the extent that the points
20 referred to are discount points rather than other points
21 associated with obtaining the loan.

22 c. The advertisement failed to fully disclose real
23 estate licensing information for SENY including but not limited
24 to the statement: "Real Estate Broker, California Department of
25 Real Estate."
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CONCLUSIONS OF LAW

1 3. Based on the information contained in Paragraph 2,
2
3 above, SENY violated Code Section 10235 in that he knowingly
4 advertised, printed, displayed, published, distributed, or
5 caused or permitted to be advertised, printed, displayed,
6 published, distributed, statements or representations with
7 regard to the rates, terms, or conditions for making,
8 purchasing, or negotiating loans on real property which were
9 false, misleading, or deceptive.

10 4. Based on the information contained in Paragraph 2,
11 above, SENY violated Code Section 10235 and Section 2848(16) of
12 the Regulations by advertising the simple annual interest rate
13 without an equally prominent disclosure of the annual percentage
14 rate.

15 5. Based on the information contained in Paragraph 2,
16 above, SENY violated Code Section 10236.4 and Section 2847.3 of
17 the Regulations in that he placed one or more advertisements
18 disseminated primarily in the State of California for the making
19 or arranging of a loan, including a solicitation for borrowers
20 or potential investors, that failed to disclose within the
21 printed text of the advertisement, or the oral text in the case
22 of a radio or television advertisement, the identity of the real
23 estate broker along with the applicable license number and the
24 identity of the Department as the issuer of the license.

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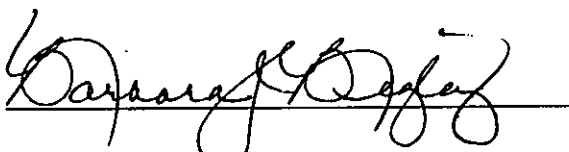
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DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that ISAAC DARYL SENY, whether doing business as Power Mortgage, A V Realty, or any other name, immediately desist and refrain from disseminating solicitations for the making or arranging of a loan(s) secured by real property until he has complied with all provisions of the Real Estate Law as discussed in this Order.

DATED: 8/17, 2009.

JEFF DAVI
Real Estate Commissioner



BY: Barbara J. Bigby
Chief Deputy Commissioner

cc: Isaac Daryl Seny
44424-A 10th Street West
Lancaster, California 93534