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

4 (213) 576-6982

FILED

OCT 19 2009

DEPARTMENT OF REAL ESTATE

BY: 

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

11 To:)	
12 S & E PRIME INVESTMENTS, INC.,)	NO. H-36306 LA
13 SHAWN ROBINSON, individually and)	
14 dba S & E Prime Investments, Inc.,)	
15 and TYREE JAMES MCQUEEN, individually and)	ORDER TO DESIST AND
16 dba S & E PRIME INVESTMENTS, INC., and)	REFRAIN
17 any other names or fictitious names used by Shawn)	(B&P Code Section 10086)
18 Robinson and Tyree James McQueen)	
19)	

20 The Commissioner (Commissioner) of the California Department of Real Estate
 21 (Department) caused an investigation to be made of the activities of S & E PRIME
 22 INVESTMENTS, INC. (S & E), SHAWN ROBINSON (ROBINSON), and TYREE JAMES
 23 MCQUEEN (MCQUEEN). Based on that investigation, the Commissioner has determined that
 24 S & E, ROBINSON, and MCQUEEN have engaged in, are engaging in, or are attempting to
 25 engage in, acts or practices constituting violations of the California Business and Professions
 26 Code (Code), including violating Code Section 10130 by engaging in the business of, acting in
 27 the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of

1 California within the meaning of Code Section 10131(d) (solicit, negotiate or perform services
2 for borrowers in connection with loans secured by real property) and Code Section 10131.2
3 (advance fee handling). Furthermore, based on the investigation, the Commissioner hereby
4 issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under
5 the authority of Section 10086 of the Code.

6
7 Whenever acts referred to below are attributed to S & E or ROBINSON, those acts are
8 alleged to have been done by ROBINSON, acting by himself, or by and/or through one or more
9 agents, associates, affiliates, and/or co-conspirators, including, but not limited to S & E and
10 MCQUEEN and using the name "S & E PRIME INVESTMENTS, INC.", or other names or
11 fictitious names unknown at this time.

12
13 Whenever acts referred to below are attributed to S & E or MCQUEEN, those acts are
14 alleged to have been done by MCQUEEN, acting by himself, or by and/or through one or more
15 agents, associates, affiliates, and/or co-conspirators, including, but not limited to S & E and
16 ROBINSON and using the name "S & E PRIME INVESTMENTS, INC.", or other names or
17 fictitious names unknown at this time.

18 FINDINGS OF FACT

- 19
- 20 1. S & E is not now, and has never been, licensed by the Department in any capacity. S & E is
21 a suspended California Corporation with Articles of Incorporation on file with the California
22 Secretary of State.
 - 23 2. ROBINSON is not now, and has never been, licensed by the Department in any capacity.
24 ROBINSON is registered under the fictitious business name "S & E Prime Investments, Inc." in
25 the County of San Bernardino, California.
 - 26 3. MCQUEEN was licensed as a salesperson by the Department on or about March 6, 2004,
27 license number 01415682. MCQUEEN'S license expired on March 5, 2008.

1 4. S & E, ROBINSON, and/or MCQUEEN solicited borrowers and negotiated to do one or
2 more of the following acts for another or others, for or in expectation of compensation: solicit or
3 negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection
4 with loans secured directly or collaterally by one or more liens on real property; and charge,
5 demand or collect an advance fee for any of the services offered.

6 5. S & E, ROBINSON, and/or MCQUEEN advertised, and continue(s) to advertise, services
7 under one or more business names including, but not limited to, "S & E Prime Investments, Inc."
8 in various print and electronic media, including websites located at
9 <http://www.primeinvestmentsonline.net>.

10 Lisa Cook's Transaction

11 6. In approximately August 2008, Lisa Cook, after having already received a Notice of Default
12 that was filed on her home, was referred to S & E for loan modification services.

13 7. In furtherance of S & E's plan and scheme to provide loan modification services to Cook,
14 MCQUEEN and ROBINSON requested an advance fee of \$2,895.00 from Cook. In reliance on
15 MCQUEEN and ROBINSON'S representations, Cook delivered a check in the full amount of
16 \$2,895.00 payable to "Prime Investments" to MCQUEEN on or about September 13, 2008.

17 8. After Cook delivered the check mentioned above, her attorney performed an investigation
18 of S & E, resulting in Cook's request to S & E for a full refund of her \$2,895.00. S & E refused
19 until Cook's attorney served a demand letter on S & E on or about October 17, 2008.

20 9. On or about October 23, 2008, in response to Cook's attorney's demand letter, Robinson,
21 by and through Prime Investments Mortgage Solutions letterhead, provided a full refund of
22 Cook's \$2,895.00.

23 CONCLUSIONS OF LAW

24 10. Based on the findings of fact contained in paragraphs 1 through 9, S & E, acting by itself,
25 or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including,
26 but not limited ROBINSON and/or MCQUEEN, and using the name "S & E Prime Investments,
27 Inc.", or other names or fictitious names unknown at this time, solicited borrowers to negotiate

1 loans or perform services, in connection with loans secured directly or collaterally by one or
2 more liens on real property. These acts, which require a real estate broker license under Sections
3 10131(d) and 10131.2 of the Code, were performed during a period of time when S & E was not
4 licensed by the Department as a real estate broker, a violation of Code Section 10130.

5 11. Based on the findings of fact contained in paragraphs 1 through 9, ROBINSON, acting by
6 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
7 including, but not limited to S & E and/or MCQUEEN, and using the name "S & E Prime
8 Investments, Inc.", or other names or fictitious names unknown at this time, solicited borrowers
9 to negotiate loans or perform services, in connection with loans secured directly or collaterally by
10 one or more liens on real property. These acts, which require a real estate broker license under
11 Sections 10131(d) and 10131.2 of the Code, were performed during a period of time when
12 ROBINSON was not licensed by the Department as a real estate broker, a violation of Code
13 Section 10130.

14 12. Based on the findings of fact contained in paragraphs 1 through 9, MCQUEEN, acting by
15 herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
16 including, but not limited to S & E and/or ROBINSON, and using the name "S & E Prime
17 Investments, Inc.", or other names or fictitious names unknown at this time, solicited borrowers
18 to negotiate loans or perform services, in connection with loans secured directly or collaterally by
19 one or more liens on real property. These acts, which acts require a real estate broker license
20 under Sections 10131(d) and 10131.2 of the Code, were performed during a period of time when
21 MCQUEEN was not licensed by the Department as a real estate broker, a violation of Code
22 Section 10130.

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1 DESIST AND REFRAIN ORDER

2 Based on the Findings of Fact and Conclusions of Law stated herein, you,

3 S & E PRIME INVESTMENTS, INC., SHAWN ROBINSON and TYREE JAMES MCQUEEN,
4 whether doing business under your own names, or any other names or fictitious names, ARE

5 HEREBY ORDERED to:

6
7 1. immediately desist and refrain from performing any acts within the State of California
8 for which a real estate broker license is required. In particular, you are ordered to desist and
9 refrain from:

10 (i) soliciting borrowers and/or performing services for borrowers or lenders in
11 connection with loans secured directly or collaterally by one or more liens on real property, and
12

13 (ii) from charging, demanding, or collecting an advance fee for any of the services you
14 offer to others, unless and until you obtain a real estate broker license issued by the Department,
15 and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in
16 full compliance with all of the requirements of the Code and the Commissioner's Regulations
17 (Title 10, California Code of Regulations) relating to charging, collecting, and accounting for
18 advance fees.

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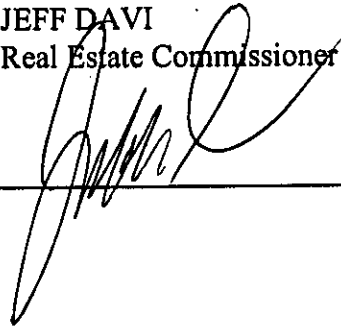
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DATED: 10-13 2009

JEFF DAVI
Real Estate Commissioner

By 

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

- cc: S & E Prime Investments, Inc.
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- Shawn Robinson
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