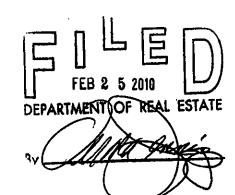
Department of Real Estate 320 West Fourth Street, Ste. 350 Los Angeles, California 90013

DAVID T. FRANK, Jr.

dba Simple Capital Solution.



(213) 576-6982

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DEPARTMENT OF REAL ESTATE STATE OF CALIFORNIA

No. H-36473 LA

ORDER TO DESIST

AND REFRAIN

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of DAVID T. FRANK, Jr. dba Simple Capital Solution ("FRANK"). Based on that investigation, the Commissioner has determined that FRANK has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code), including violating Code Section 10130 by engaging in the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Code Section 10131(d) (soliciting borrowers and lenders and negotiating loans on real property) and 10131.2 (advance fee handling). Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to FRANK those acts are alleged to have been done by FRANK, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators using the name Simple Capital Solution or other names or fictitious names unknown at this time.

## FINDINGS OF FACT

- 1. At no time herein mentioned have you been licensed by the Department of Real Estate of the State of California (hereinafter "Department") as a real estate broker.
- During March, 2009, for or in expectation of compensation, FRANK solicited borrowers and lenders and negotiated loans on real property.
- 3. FRANK solicited and negotiated a loan on real property located at 609 Lorena Ave., Arcadia, California, for borrower Henry Ong and collected \$129 from Henry Ong.

## CONCLUSIONS OF LAW

4. Based on the findings of fact set forth in paragraphs 1 through 3, FRANK, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or coconspirators, solicited borrowers and lenders and negotiated loans on real property, which are acts requiring a real estate broker license under Section 10131(d) of the Code during a period of time when FRANK was not licensed by the Department as a real estate broker, in violation of Section 10130 of the Code.

## DESIST AND REFRAN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that you, DAVID T. FRANK, Jr., whether doing business under your own name, or any other names, or fictitious name, ARE ORDERED immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular, you are ORDERED TO DESIST AND REFRAIN from: charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code.

DATED:	<u>[[[17]09].</u>
	TEEE DAVI
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	JEFF DAVI' Real Es#ate Commissioner
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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 the 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: David T. Frank, Jr.
324 S. Diamond Bar Blvd., Suite 180
Diamond Bar, CA 91765

JRP:DT

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