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	DEPARTMENT OF REAL ESTATE SEP - 8 2010
2	320 West Fourth Street, Ste. 350     Los Angeles, California 90013     DEPARTMENT OF REALESTATE
3	(213) 576-6982 BY: Ham B. Mon
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o 9	STATE OF CALIFORNIA
10	DEPARTMENT OF REAL ESTATE
11	To:
12	) NO. H-36797 LA
13	JEFFERY ALLEN CONVERSE d.b.a. ) LOAN MODIFICATION ACTION NETWORK ) ORDER TO DESIST AND
14	) REFRAIN ) (B&P Code Section 10086)
15	)
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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 JEFFERY ALLEN
19	CONVERSE (CONVERSE) d.b.a. LOAN MODIFICATION ACTION NETWORK (LMAN).
20	Based on that investigation, the Commissioner has determined that CONVERSE and LMAN
21	have engaged in, are engaging in, or are attempting to engage in, acts or practices constituting
22	violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6,
23	California Code of Regulations (Regulations), including 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
25	meaning of Section 10131(d) (soliciting borrowers for services in connection with loans secured
26	by real property) of the Code. The Commissioner has also determined that CONVERSE and
27	LMAN have engaged in misleading advertisement practices, in violation of Code Sections
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1	10235, 10235.5, 14701, 14702 and 17539.4, as well as Regulation 2848(3). Furthermore, based
2	on the investigation, the Commissioner hereby issues the following Findings of Fact,
3	Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
4	Code.
5	Whenever acts referred to below are attributed to CONVERSE, those acts are alleged to
6	have been done by CONVERSE, acting by himself, or by and/or through one or more agents,
7	associates, affiliates, and/or co-conspirators, including, but not limited to LMAN, or other names
8	or fictitious names unknown at this time.
9	FINDINGS OF FACT
10	1. At all times mentioned herein, CONVERSE was licensed and/or had license rights
11	under the Department as a real estate salesperson.
12	2. On or about July 23, 2009, CONVERSE registered the fictitious business name
13	"LOAN MODIFICATION ACTION NETWORK" with the Assessor-County Clerk-Recorder for
14	the County of Riverside, California. LMAN is not, and has never been, licensed by the
15	Department in any capacity.
16	3. During the period of time set out below, CONVERSE and LMAN solicited
· 17	borrowers to do one or more of the following acts for another or others, for or in expectation of
18	compensation: negotiate one or more loans for, or perform services for, borrowers and/or lenders
19	in connection with loans secured directly or collaterally by one or more liens on real property.
20	Internet Solicitation
21	4. From at least November 12, 2009 to the present, CONVERSE, under the name of
22	LMAN, operated a website at <u>http://loanmodaction.com</u> . This website stated "we are a loan
23	modification marketing company that uses the Internet and technology to reduce costs and
24	improve efficiency." By marketing loan modification services, Respondent was soliciting
25	borrowers regarding negotiation or services provided on loans secured by real property.
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## Bell Solicitation

2 5. In or about August of 2009, Thomas Bell received a solicitation by mail at his home 3 address located at 1126 San Ysidro Drive, Beverly Hills, CA, 90210. This solicitation states that 4 Mr. Bell is eligible to modify the terms of his \$500,000 loan with Washington Mutual Bank. The advertisement lists the name of "Washington Mutual Bank" in four different locations, with no 5 6 indication that the issuer of the solicitation was not sponsored by or affiliated with Washington 7 Mutual. The advertisement does not indicate the license under which the loan modification 8 would be arranged or the state regulatory agency supervising the loan modification. An 9 investigation revealed that this solicitation was issued by CONVERSE and LMAN.

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## CONCLUSIONS OF LAW

Based on the findings of fact contained in paragraphs 1 through 5, CONVERSE, 11 6. 12 acting by himself, or by and/or through one or more agents, associates, affiliates, and/or coconspirators, including, but not limited to LMAN, or other names or fictitious names unknown at 13 14 this time, solicited borrowers in connection to services performed on loans secured directly or 15 collaterally by one or more liens on real property, which acts require a real estate broker license under Section 10131(d) of the Code, during a period of time when CONVERSE and LMAN 16 17 were not licensed by the Department as real estate brokers, in violation of Section 10130 of the 18 Code.

7. Based on the findings of fact contained in paragraph 5, CONVERSE, acting by
himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
including, but not limited to LMAN, or other names or fictitious names unknown at this time,
engaged in false and misleading advertising, in violation of Code Sections 10235, 10235.5,
14701, 14702 and 17539.4, as well as Section 2848(3) of the Regulations.

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## DESIST AND REFRAIN ORDER

<sup>25</sup> Based on the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered
<sup>26</sup> that JEFFERY ALLEN CONVERSE d.b.a. LOAN MODIFICATION ACTION NETWORK,
<sup>27</sup> whether doing business under your own name, or any other names or fictitious names, ARE

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HEREBY ORDERED to immediately desist and refrain from performing any acts within the 1 State of California for which a real estate broker license is required until you comply with all 2 3 provisions of Real Estate Law as discussed in this Order. 4 5/26/2010 5 DATED: 6 JEFF DAMI Real Estate Commissioner 7 8 Bv 9 10 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 11 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 12 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 13 (\$60,000)." 14 15 16 17 18 19 20 21 22 23 24 JEFFERY ALLEN CONVERSE, d.b.a. cc: 25 LOAN MODIFICATION ACTION NETWORK 26 11631 Allwood Drive Riverside, CA 92503 27 - 4 -