

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 <http://loanmodaction.com>. 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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1 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
5 advertisement lists the name of "Washington Mutual Bank" in four different locations, with no
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.

10 CONCLUSIONS OF LAW

11 6. Based on the findings of fact contained in paragraphs 1 through 5, CONVERSE,
12 acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-
13 conspirators, including, but not limited to LMAN, or other names or fictitious names unknown at
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
16 under Section 10131(d) of the Code, during a period of time when CONVERSE and LMAN
17 were not licensed by the Department as real estate brokers, in violation of Section 10130 of the
18 Code.

19 7. Based on the findings of fact contained in paragraph 5, CONVERSE, acting by
20 himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators,
21 including, but not limited to LMAN, or other names or fictitious names unknown at this time,
22 engaged in false and misleading advertising, in violation of Code Sections 10235, 10235.5,
23 14701, 14702 and 17539.4, as well as Section 2848(3) of the Regulations.

24 DESIST AND REFRAIN ORDER

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

