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| 1 2 3 4 5 | Department of Real Estate 320 West Fourth Street, Suite 350 Los Angeles, California 90013-1105 Telephone: (213) 576-6982 | AUG 2 5 2011 DEPARTMENT OF REAL ESTATE By_C.A. |
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| 10 | STATE OF CALIFORNIA | |
| 11 | DEPARTMENT OF REAL ESTATE | |
| 12 | To: |)) NO. H- 37474 LA |
| 13 | MICHAEL DEAN TREADWAY, |) |
| 14 | dba Treadway Real Estate Group, and/or any other names or fictitious names. |) ORDER TO DESIST AND) REFRAIN |
| 15 | |) (B&P Code Section 10086)) |
| 16 | |) |
| 17 | The Commissioner (Commissioner) of the California Department of Real Estate | |
| 18 | (Department) caused an investigation to be made of the activities of MICHAEL DEAN | |
| 19 | TREADWAY (TREADWAY), doing business as Treadway Real Estate Group. Based on the | |
| 20 21 | investigation, the Commissioner has determined that TREADWAY has engaged in, is engaging | |
| 22 | in, or is attempting to engage in, acts or practices consti | ituting violations of the California |
| 23 | Business and Professions Code (Code), including the b | usiness of, acting in the capacity of, |
| 24 | and/or advertising or assuming to act as, a real estate br | oker in the State of California within the |
| 25 | meaning of Section 10131(a) (soliciting prospective sel | lers or purchasers and soliciting or |
| 26 | obtaining listings of the purchase or sale of real propert | - |
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| .1 | the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of |
| 2 | Law, and Desist and Refrain Order under the authority of Section 10086 of the Code. |
| 3 | Whenever acts referred to below are attributed to TREADWAY, those acts are |
| 4 | alleged to have been done by TREADWAY, acting by himself, or by and/or through one or more |
| 5 | agents, associates, affiliates, and/or co-conspirators, and using the name Treadway Real Estate |
| 6 7 | Group, or other names or fictitious names unknown at this time. |
| 8 | FINDINGS OF FACT |
| 9 | 1. On on about Fahrmany 10, 2005, TREADWAY and Henry Long methods to |
| 10 | 1. On or about February 19, 2005, TREADWAY was licensed as a restricted real estate salesperson by the Department (License No. 01417591). |
| П | 2. At no time herein mentioned has Treadway Real Estate Group been licensed |
| 12 | by the Department in any capacity. |
| 13 | 3. During the period of time set out below, TREADWAY solicited borrowers |
| 14 | and negotiated to do one or more of the following acts for another or others, for or in |
| 15 | expectation of compensation: solicit prospective sellers or purchasers of, solicit or obtain |
| 16 | listings of, or negotiate the purchase, sale or exchange of real property. |
| 17 | 4. For an unknown period of time prior to April 5, 2009, until and including |
| 18 | August 24, 2010, TREADWAY advertised, and continues to advertise, his services under one |
| 19 | or more business names including Treadway Real Estate Group on a website located at |
| 20 | http://treadwayreg.com. Those advertisements solicited, and continue to solicit, |
| 21 | prospective sellers and purchasers of residential and commercial property, brokerage services |
| 22 | and financing services for borrowers. |
| 23 | 5. On or about April 5, 2008, TREADWAY while using the name Treadway |
| 24 | Real Estate Group entered into a written "Residential Purchase Agreement" as the selling agent |
| 25 | for Steve G. concerning real property located in the city of Dana Point, California, whereby |
| 26 | TREADWAY, as his fee for services, would receive a broker commission of three percent |
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(3%) of the transaction price of the property at close of escrow, in violation of Section 10131(a) of the Code.

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CONCLUSIONS OF LAW

4 6. Based on the findings of fact contained in paragraphs 1 through 4, 5 TREADWAY, acting by himself, or by and/or through one or more agents, associates, 6 affiliates, and/or co-conspirators, and using the name Treadway Real Estate Group, or other 7 names or fictitious names unknown at this time, solicited prospective sellers and purchasers of 8 real property, solicited or obtained listing of, or negotiated the sale or purchase of real property, 9 which requires a real estate license under Section 10131(a) of the Code, during a period of time 10 when TREADWAY was not licensed by the Department as a real estate broker, in violation of 11 Section 10130 of the Code.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you 13 14 MICHAEL DEAN TREADWAY, whether doing business under your own name, or using the name Treadway Real Estate Group, or any other names or fictitious names, ARE HEREBY 15 16 ORDERED to immediately desist and refrain from performing any acts within the State of 17 California for which a real estate broker license is required, and in particular, soliciting 18 borrowers and/or performing services for borrowers or lenders in connection with loans secured 19 directly or collaterally by one or more liens on real property, unless and until you obtain a real estate broker license issued by the Department. 20

dated: <u>8//9</u> 2011

Barbara J. Bigby Acting Real Estate Commissioner

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| 1 | 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)." | |
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| 2 3 | | |
| 4 | | |
| 5 | cc: Michael Dean Treadway | |
| 6 | PO Box 3811 | |
| 7 | Dana Point, CA 92629 | |
| 8 | Blain-Willis, Inc. 24672 San Juan Ave., #204 | |
| 9 | Dana Point, CA 92629 | |
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