

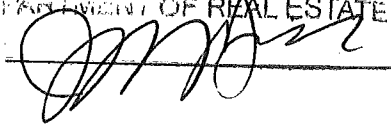
BEFORE THE DEPARTMENT OF REAL ESTATE

**FILED**

STATE OF CALIFORNIA

MAY 04 2012

\* \* \*

DEPARTMENT OF REAL ESTATE  
BY: 

In the Matter of the Accusation of )  
 ) NO. H-37633 LA  
 USA LENDING PARTNERS CORP, a )  
 corporate real estate broker; )  
 and SEAN GIVENS, individually )  
 and as designated officer )  
 of USA Lending Partners Corp, )  
 )  
 Respondents. )  
 )

---

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on March 6, 2012, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

I

On November 1, 2011, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondents' last known mailing addresses on file with

the Department on November 1, 2011. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by regular mail, to Respondents' last known mailing addresses on file with the Department on January 13, 2012.

On March 6, 2012, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government code, Respondent's default was entered herein.

## II

USA LENDING PARTNERS CORP ("USALPC") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate corporation.

## III

SEAN GIVENS ("GIVENS") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate broker. GIVENS is the designated officer for USA LENDING PARTNERS CORP until September 22, 2012.

## IV

### (Advance Fee Violation)

Respondents engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026.

## V

Respondents collected the advance fees pursuant to the provisions of a written agreement which constitutes an advance fee agreement within the meaning of Code Section 10085.

## VI

Respondents failed to submit the written agreement to the Commissioner ten days before using it in violation of Code Section 10085 and Section 2970, Title 10, Chapter 6, Code of Regulations ("Regulations").

VII

(Corporate Suspension)

Respondent USALPC'S corporate status in the State of California was suspended on or about March 3, 2008 by the Franchise Tax Board, in violation of Code Section 10177(g) and 10177(f) and Regulation 2742.

VIII

(Failure to Maintain a Place of Business)

Respondents address of record for USALPC's main office, 10073 Valley Vie Street, #285, Cypress, California 90630, is in fact a private mailbox at Mail Center, constituting a failure to maintain a place of business, in violation of Code Section 10162 and Regulation 2715.

IX

(Failure to Supervise)

Respondent GIVENS' conduct, acts and/or omissions in failing to exercise reasonable supervision in the course of the activities described in IV through VIII, above, are in violation of Code Section 10159.2.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against Respondent USA LENDING PARTNERS CORP exists pursuant to Business and Professions Code Sections 10085, 10177(g) and/or 10177(f), and 10162, and Regulations 2715, 2742, and 2970.

II

Cause for disciplinary action against Respondent SEAN GIVENS exists pursuant to Business and Professions Code Sections 10085, 10159.2, 10162, 10177(d), 10177(g), and 10177(h), and Regulations 2715, and 2970.

///

///

III

The standard of proof applied was clear and convincing proof to a reasonable certainty.

ORDER

The licenses and license rights of Respondents USA LENDING PARTNERS CORP and SEAN GIVENS under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

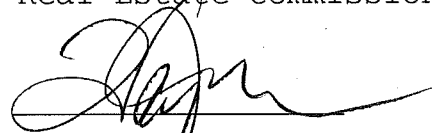
This Decision shall become effective at 12 o'clock noon

MAY 24 2012.

DATED:

4/25/2012.

Real Estate Commissioner

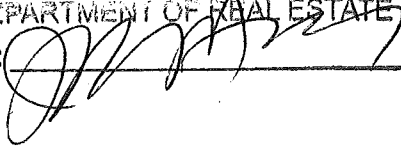


By WAYNE S. BELL  
Chief Counsel

1 Department of Real Estate  
2 320 West Fourth Street, Suite 350  
3 Los Angeles, California 90013-1105  
4 (213) 576-6982

**FILED**

MAR 06 2012

DEPARTMENT OF REAL ESTATE  
BY: 

7 BEFORE THE DEPARTMENT OF REAL ESTATE

8 STATE OF CALIFORNIA

9 \* \* \* \*

10  
11 In the Matter of the Accusation of )  
12 ) NO. H-37633 LA  
13 USA LENDING PARTNERS CORP, a corporate )  
14 real estate broker; and ) DEFAULT ORDER  
15 SEAN GIVENS, individually and as )  
16 designated officer of USA Partners )  
Corp, )  
Respondents. )

17 Respondents, USA LENDING PARTNERS CORP and SEAN  
18 GIVENS, having failed to file a Notice of Defense within the  
19 time required by Section 11506 of the Government Code, is now  
20 in default. It is, therefore, ordered that a default be  
21 entered on the record in this matter.

22  
23 IT IS SO ORDERED March 6, 2012.

24 BARBARA J. BIGBY  
25 Acting Real Estate Commissioner

26   
27 By: DOLORES WEEKS  
Regional Manager