

**FILED**

1 Department of Real Estate  
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2 Los Angeles, California 90013

MAY 08 2012

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DEPARTMENT OF REAL ESTATE  
BY: *Guadalupe Valeriu*

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DEPARTMENT OF REAL ESTATE

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STATE OF CALIFORNIA

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To:	)	No. H-38119 LA
	)	
SECURE DOC PREP CORP.	)	<u>ORDER TO DESIST</u>
and JAMES MERRITT,	)	<u>AND REFRAIN</u>
	)	
_____	)	(B&P Code Section 10086)

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The Commissioner ("Commissioner") of the California Department of Real Estate ("Department") caused an investigation to be made of the activities of SECURE DOC PREP CORP. ("SDPC") and JAMES MERRITT ("MERRITT"), and has determined that SDPC and MERRITT have engaged in or are engaging in acts or practices constituting violations of the California Business and Professions Code ("Code"), including engaging in the business of, acting in the capacity of, advertising, or assuming to act, as real estate brokers in the State of California within the meaning of Section 10131(d) (soliciting borrowers or lenders or performing services in connection with loans) and Section 10131.2 (claiming advance fees in connection with a loan). Based on the

1 findings of that investigation, as set forth below, the  
2 Commissioner hereby issues the following Findings of Fact and  
3 Desist and Refrain Order pursuant to Section 10086 of the Code.

4 FINDINGS OF FACT

5 1. SDPC is not now, not has it ever been, licensed  
6 by the Department in any capacity.

7 2. MERRITT was licensed by the Department as a  
8 conditional salesperson on July 9, 2007. On January 10, 2009,  
9 MERRITT's license was placed under conditional suspension for  
10 failure to satisfy his education requirements, pursuant to Code  
11 Section 10153.4. MERRITT retained no licensing rights after  
12 July 8, 2011.

13 3. At the time set forth below, SDPC and MERRITT  
14 engaged in the business of, acted in the capacity of, or  
15 advertised a forensic mortgage loan audit service and advance  
16 fee brokerage offering to perform and performing forensic  
17 mortgage loan audit services with respect to loans secured by  
18 liens on real property for compensation or in expectation of  
19 compensation and for fees often collected in advance of the  
20 transaction.

21 4. After being solicited by MERRITT regarding loan  
22 services provided by SDPC, Gerald B. paid an advance fee of  
23 \$2,295 to SDPC on June 24, 2010. MERRIT collected the advance  
24 fee pursuant to an agreement pertaining to forensic mortgage  
25 loan audit services provided by SDPC with respect to Gerald B.'s  
26 loan, which was secured by real property.  
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CONCLUSIONS OF LAW

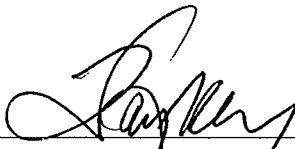
5. Based on the information contained above, SDPC and MERRITT performed and/or participated in forensic mortgage loan audit activities which require a broker license under the provision of Code Sections 10131(d) and 10131.2 during a period of time when neither was licensed by the Department as a real estate broker, in violation of Code Section 10130.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that SECURE DOC PREP CORP. and JAMES MERRITT, whether doing business under their own names, or any other names, or any fictitious name, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular each of them is 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, for any other real estate related services offered by them to others.

DATED: April 22, 2012

REAL ESTATE COMMISSIONER

By:   
By **WAYNE S. BELL**  
Chief Counsel

1 **Notice:** Business and Professions Code Section 10139 provides  
2 that "Any person acting as a real estate broker or real estate  
3 salesperson without a license or who advertises using words  
4 indicating that he or she is a real estate broker without being  
5 so licensed shall be guilty of a public offense punishable by a  
6 fine not exceeding twenty thousand dollars (\$20,000), or by  
7 imprisonment in the county jail for a term not to exceed six  
8 months, or by both fine and imprisonment; or if a corporation, be  
9 punished by a fine not exceeding sixty thousand dollars  
10 (\$60,000)."

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23 cc: SECURE DOC PREP CORP.  
24 17748 Sky Park Cir., Suite 260  
Irvine, CA 92614

25 JAMES MERRITT  
26 16673 East Main Street  
Orange, CA 92865  
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