

FILED

MAY 24 2012

1 Department of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

DEPARTMENT OF REAL ESTATE
BY: *Justine Valenzuela*

3 Telephone: (213) 576-6982
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8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

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11 To:) No. H-38162 LA
12)
13 EVERGREEN FINANCIAL GROUP INC) ORDER TO DESIST
and DEBRA BROWN,) AND REFRAIN
14) (B&P Code Section 10086)
_____)

15
16 The Commissioner ("Commissioner") of the California
17 Department of Real Estate ("Department") caused an investigation
18 to be made of the activities of EVERGREEN FINANCIAL GROUP INC
19 ("EVERGREEN") and DEBRA BROWN ("BROWN"), and has determined that
20 EVERGREEN and BROWN have engaged in or are engaging in acts or
21 practices constituting violations of the California Business and
22 Professions Code ("Code") and/or Title 10, California Code of
23 Regulations ("Regulations") including engaging in the business
24 of, acting in the capacity of, advertising, or assuming to act,
25 as real estate broker in the State of California within the
26 meaning of Section 10131(d) (soliciting borrowers or lenders or
27 negotiating loans) and Section 10131.2 (claiming advance fees in

1 connection with a loan). Based on the findings of that
2 investigation, as set forth below, the Commissioner hereby issues
3 the following Findings of Fact and Desist and Refrain Order
4 pursuant to Section 10086 of the Code.

5 FINDINGS OF FACT

6 1. At no time herein mentioned have EVERGREEN or
7 BROWN been licensed by the Department in any capacity.

8 2. At the time set forth below EVERGREEN and BROWN
9 engaged in the business of, acted in the capacity of, or
10 advertised a forensic mortgage loan audit service and advance
11 fee brokerage offering to perform and performing forensic
12 mortgage loan audit services with respect to loans secured by
13 liens on real property for compensation or in expectation of
14 compensation and for fees often collected in advance as well as
15 at the conclusion of the transaction.

16 3. After being solicited by BROWN regarding loan
17 negotiation services BROWN provided on behalf of EVERGREEN,
18 Roosevelt M. paid an advance fee of \$1,198 to EVERGREEN on July
19 8, 2010. The advance fee was collected pursuant to an agreement
20 pertaining to forensic mortgage loan audit services to be
21 provided with respect to a loan secured by real property.

22 CONCLUSIONS OF LAW

23 4. Based on the information contained in Paragraphs
24 2 and 3, above, EVERGREEN and BROWN performed and/or
25 participated in forensic mortgage loan audit activities which
26 require a broker license under the provision of Code Sections
27

1 10131(d) and 10131.2 during a period of time when neither was
2 licensed by the Department as a real estate broker or
3 salesperson, in violation of Code Section 10130.

4 DESIST AND REFRAIN ORDER

5 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW
6 stated herein, it is hereby ordered that EVERGREEN FINANCIAL
7 GROUP INC and DEBRA BROWN, whether doing business under their
8 own names, or any other names, or any fictitious name, ARE
9 HEREBY ORDERED to immediately desist and refrain from performing
10 any acts within the State of California for which a real estate
11 broker license is required. In particular each of them is
12 ORDERED TO DESIST AND REFRAIN from charging, demanding,
13 claiming, collecting and/or receiving advance fees, as that term
14 is defined in Section 10026 of the Code, for any other real
15 estate related services offered by them to others.
16

17 DATED: April 24, 2012.

18
19 Real Estate Commissioner

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21 By WAYNE S. BELL
22 Chief Counsel

23 **Notice:** Business and Professions Code Section 10139 provides
24 that "Any person acting as a real estate broker or real estate
25 salesperson without a license or who advertises using words
26 indicating that he or she is a real estate broker without being
27 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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cc: EVERGREEN FINANCIAL GROUP INC
DEBRA BROWN
11616 Hawthorne Boulevard, Suite 200
Hawthorne, CA 90250