

FILED

OCT - 8 2009

DEPARTMENT OF REAL ESTATE

[Signature]

1 DEPARTMENT OF REAL ESTATE
2 P. O. Box 187007
3 Sacramento, CA 95818-7007
4 Telephone: (916) 227-0789

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:

JAMES E. EDGERLY,
dba THE ENTERPRISE ZONE INC.,
and/or any other names or
Fictitious names

No. H-10766 SF

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of JAMES E. EDGERLY, doing business as THE ENTERPRISE ZONE INC. (EDGERLY). Based on the investigation, the Commissioner has determined that EDGERLY has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6, California Code of Regulations (Regulations), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Section 10131(d) (performing services for borrowers in connection with loans secured by real property) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

1 Whenever acts referred to below are attributed to EDGERLY, those acts are
2 alleged to have been done by EDGERLY, acting by himself, or by and/or through one or more
3 agents, associates, affiliates, and/or co-conspirators, and using the names THE ENTERPRISE
4 ZONE INC., THE ENTERPRISE ZONE, or other names or fictitious names unknown at this
5 time.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has EDGERLY been licensed by the
8 Department in any capacity.

9 2. During the period of time set out below, EDGERLY solicited one or
10 more borrowers and negotiated to do one or more of the following acts for another or others,
11 for or in expectation of compensation: negotiate one or more loans for, or perform services for,
12 borrowers and/or lenders in connection with loans secured directly or collaterally by one or
13 more liens on real property; and charge, demand or collect an advance fee for any of the
14 services offered, in violation of Sections 10130 (real estate broker license required to perform
15 certain acts), 10085.5 (real estate broker license required to charge or collect an advance fee),
16 and 10139 (criminal penalties for unlicensed activity) of the Code.

17 3. On or about February 3, 2009, EDGERLY entered into an agreement
18 with Rosa Wilridge (Wilridge) concerning her property located at 8117 Sunkist Drive,
19 Oakland, CA, in which EDGERLY would negotiate a loan modification for Wilridge's loan
20 from Saxon Mortgage Services (Saxon), and Wilridge agreed to pay, and did pay to
21 EDGERLY, as his fee for services, the sum of \$3,000, in violation of Sections 10130 and
22 10085.5, and 10139 of the Code.

23 ///

24 ///

25 ///

26 ///

27 ///

