

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

FILED

DEC 17 2008

3 (213) 576-6982

DEPARTMENT OF REAL ESTATE

BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:

No. H-35549 LA

12 POPE MORTGAGE & ASSOCIATES)
13 INC., doing business as Pope)
14 Real Estate, Pope Mortgage &)
15 Associates, Pope Mortgage,)
16 and North American Escrow;)
17 POPE FINANCIAL CENTER INC.,)
18 doing business as Pope &)
19 Associates; PAUL N. POPE,)
20 individually, and doing)
21 business as Pope Realty &)
22 Mortgage, Pope Mortgage &)
23 Associates Realty, Pope)
24 Mortgage & Associates,)
25 and North American Escrow,)
26 and as designated officer)
27 of Pope Mortgage & Asso-)
ciates Inc. and of Pope)
Financial Center Inc.,)
_____)

ORDER TO DESIST
AND REFRAIN

24 The Real Estate Commissioner of the State of California
25 has caused an investigation to be conducted of your activities as
26 a real estate broker, and based on the findings of that
27

1 investigation, is of the opinion that, you, POPE MORTGAGE &
2 ASSOCIATES INC., doing business as Pope Real Estate, Pope
3 Mortgage & Associates, Pope Mortgage and North American Escrow,
4 you, POPE FINANCIAL CENTER INC., doing business as Pope &
5 Associates, and, you, PAUL N. POPE, individually, and doing
6 business as Pope Realty & Mortgage, Pope Mortgage & Associates
7 Realty, Pope Mortgage & Associates, and North American Escrow,
8 and as designated officer of Pope Mortgage & Associates Inc. and
9 Pope Financial Center Inc., have violated Section 10085 of the
10 Business and Professions Code (hereinafter "Code") and Section
11 2970 of Chapter 6, Title 10, California Code of Regulations
12 (hereinafter "Regulations").

13
14 1.

15 At all times mentioned herein, you, POPE MORTGAGE &
16 ASSOCIATES INC., doing business as Pope Real Estate, Pope
17 Mortgage & Associates, Pope Mortgage, and North American Escrow,
18 were licensed by the Department of Real Estate of the State of
19 California (hereinafter "Department") as a corporate real estate
20 broker with Respondent PAUL N. POPE as the designated officer.

21 2.

22 At all times mentioned herein, you, FINANCIAL CENTER
23 INC., doing business as Pope & Associates, were licensed by the
24 Department as a corporate real estate broker with PAUL N. POPE as
25 the designated officer.
26
27

3.

1 At all times mentioned herein, you, PAUL N. POPE,
2 individually, and doing business as Pope Realty & Mortgage, Pope
3 Mortgage & Associates Realty, Pope Mortgage & Associates, and
4 North American Escrow, and as designated officer of Pope Mortgage
5 & Associates Inc. and Pope Financial Center Inc., were licensed
6 by the Department as a real estate broker.

7 4.

8 At all times material herein, in the State of
9 California, you engaged in the business of claiming, demanding,
10 charging, receiving, collecting or contracting for the collection
11 of advance fees, within the meaning of Code Section 10026,
12 including, but not limited to, the following loan modification
13 activities with respect to loans which were secured by liens on
14 real property:

15 a. At a date unknown, you collected an advance fee of
16 \$1,000 from Samuel Hernandez pursuant to the provisions of a
17 written agreement pertaining to loan modification services to be
18 provided by you with respect to a loan secured by the real
19 property located at 15634 Beechwood Avenue, Ivanhoe, California
20 91235.

21 b. On or about August 1, 2008, you collected an
22 advance fee of \$2,895 from Bryan K. Batiste pursuant to the
23 provisions of a written agreement pertaining to loan modification
24 services to be provided by you with respect to a loan secured by
25 the real property located at 23338 Wagon Trail Road, Diamond Bar,
26 California 91765.

1 c. On or about August 21, 2008, and September 22,
2 2008, you collected an advance fee totaling \$2,000 from Curtis
3 Ward pursuant to the provisions of a written agreement pertaining
4 to loan modification services to be provided by you with respect
5 to a loan secured by the real property located at 1442 West
6 Victoria Street, Rialto, California 92376.

7 5.

8 You collected the above described advance fees pursuant
9 to the provisions of a document entitled Loss Mitigation Services
10 Agreement, the written agreement described in Paragraph 4, above,
11 which document constitutes an advance fee agreement within the
12 meaning of Code Section 10085.

13 6.

14 You failed to submit the written agreements referred to
15 in Paragraph 4, above, to the Commissioner ten days before using
16 them in violation of Code Section 10085 and Regulation 2970.

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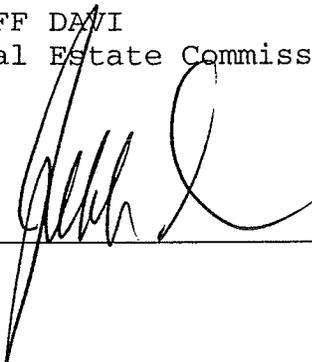
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1 NOW, THEREFORE, YOU, POPE MORTGAGE & ASSOCIATES INC.,
2 YOU, POPE FINANCIAL CENTER INC., and, YOU, PAUL N. POPE, ARE
3 ORDERED TO DESIST AND REFRAIN from collecting advance fees within
4 the meaning of Code Section 10026 unless and until you are in
5 compliance with Code Section 10085 and Regulation 2970.

6
7 DATED: 12-16, 2008.

8
9 JEFF DAVI
Real Estate Commissioner

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22 cc: Pope Mortgage & Associates Inc.
23 800 S. Milliken Avenue, Suite H
Ontario, California 91761

24 Pope Financial Center Inc.
25 800 S. Milliken Avenue, Suite H
Ontario, California 91761

26 Paul N. Pope
27 800 S. Milliken Avenue, Suite H
Ontario, California 91761