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FILED

MAY 21 2012

DEPARTMENT OF REAL ESTATE
By R. Mat

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

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12 To:)
13 EPIFANY PROPERTIES, INC. and) NO. H-4350 SD
14 RICHARD PATRICK ANTHONY) ORDER TO DESIST AND REFRAIN
15 ST. ROSE.) (B & P Code Section 10086)
16)

17 The Real Estate Commissioner ("the Commissioner") of the California
18 Department of Real Estate ("the Department") caused an investigation to be made of the
19 activities of RICHARD PATRICK ANTHONY ST. ROSE, ("ST. ROSE"), and EPIFANY
20 PROPERTIES, INC., ("EPIFANY"), (collectively, "Respondents"). Based on that
21 investigation, the Commissioner has determined that Respondents have engaged in, are
22 engaging in, or are attempting to engage in, acts or practices constituting violations of the
23 California Business and Professions Code ("Code") and/or Title 10, Chapter 6, California Code
24 of Regulations ("Regulations"), including acting in the capacity of, advertising or assuming to
25 act as a real estate broker in the State of California within the meaning of Section 10131(d)
26 (performing services for borrowers and/or lenders in connection with loans secured by real
27 property), 10131.2 (collection of advance fees), 10085 (advance fee agreements and materials)

1 and 10137 (unlawful employment or payment of compensation) of the Code. Furthermore,
2 based on the investigation, the Commissioner hereby issues the following Findings of Fact,
3 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
4 Code.

5 FINDINGS OF FACT

6 1. At all times relevant herein, ST. ROSE was and is licensed by the
7 Department as a real estate broker, and is licensed by the Department as the designated
8 broker/officer of EPIFANY.

9 2. At all times relevant herein, EPIFANY was and is licensed by the
10 Department as a corporate real estate broker.

11 3. Michele Hrivnak is licensed by and/or has license rights by the
12 Department as a real estate salesperson.

13 4. At no time has Breanna Walulik been licensed in any capacity by the
14 Department to conduct real estate activity in the State of California.

15 5. During the period of time set out below, Respondents performed services
16 for one or more borrowers and negotiated to do one or more of the following acts for another or
17 others, for or in expectation of compensation: negotiate one or more loans for, or perform
18 services for, borrowers and/or lenders with respect to the collection of advance fees and loan
19 modification, loan refinance, principal reduction, foreclosure abatement or short sale services
20 and/or those borrowers' lenders in connection with loans secured directly or collaterally by one
21 or more liens on real property; and charged, demanded or collected an advance fee for any of
22 the services offered.

23 6. In connection with the collection and handling of advance fees as alleged
24 above, Respondents failed to submit the advance fee contract and all materials used in obtaining
25 those advance fees to the Department of Real Estate for approval prior to their use in obtaining
26 advance fees.

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