

1 DEPARTMENT OF REAL ESTATE  
2 P. O. Box 187007  
3 Sacramento, CA 95818-7007  
4 Telephone: (916)-227-1126

FILED

APR 23 2009

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE DEPARTMENT OF REAL ESTATE  
9 STATE OF CALIFORNIA

10 \* \* \*

11 TO: )  
12 )  
13 AMERICAN RIVER REAL ESTATE, INC., ) NO. H- 5201 SAC  
14 a Corporation, )  
15 SCOTT WOODS, and ) ORDER TO DESIST AND REFRAIN  
16 LOUIS MASER. ) (Bus. & Prof. Code § 10086)  
17 )  
18 )

16 The Real Estate Commissioner (hereinafter "Commissioner") of the State of  
17 California has caused an investigation to be conducted into your activities and based upon the  
18 findings set forth herein below, is of the opinion that you, AMERICAN RIVER REAL  
19 ESTATE, INC., a Corporation doing business as Loan Redux, you, SCOTT WOODS, and you,  
20 LOUIS MASER doing business as Diversified Realty, have violated Sections 10085 and  
21 10085.5 of the California Business and Professions Code (hereinafter "the Code") by entering  
22 into advanced fee agreements and attempting to claim, demand, charge, and/or collect advanced  
23 fees prior to obligation for completion of a loan.

24 1

25 On about January 29, 2009, and following, you entered into advanced fee  
26 agreements prior to submitting to the Department of Real Estate (hereinafter the "Department")  
27 any or all materials used in advanced fee agreements, including but not limited to the contract

1 form, any letters or cards used to solicit prospective sellers, and radio and television advertising,  
2 at least 10 calendar days before it was used in obtaining advance fee agreements, in violation of  
3 Section of 10085 of the Code and Section 2970 of Title 10, Chapter 6 of the California Code of  
4 Regulations (hereinafter "the Regulations").

5 2

6 At all times herein mentioned, you claimed, demanded, charged, and/or collected  
7 advanced fees for performing services in connection with a loan to be secured directly or  
8 collaterally by a lien on real property before the borrower was obligated to complete the loan, in  
9 violation of Section 10085.5 of the Code.

10 3

11 You, AMERICAN RIVER REAL ESTATE, INC., you, SCOTT WOODS, and  
12 you, LOUIS MASER, have violated Sections 10085 and 10085.5 of the Code by engaging in the  
13 activities described in Paragraphs 1 and 2, above, without first submitting advanced fee  
14 materials for approval to the Department as required by Section 10085 of the Code and for  
15 claiming, demanding, charging, and/or collecting advanced fees prior to a borrower's obligation  
16 to complete a loan, in violation of Section 10085.5 of the Code.

17 NOW, THEREFORE, YOU, AMERICAN RIVER REAL ESTATE, INC., ITS  
18 DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS; YOU, SCOTT WOODS; AND  
19 YOU, LOUIS MASER ARE HEREBY ORDERED TO DESIST AND REFRAIN from entering  
20 into any and all advanced fee agreements until such time as you submit to the Department, for  
21 approval, all advanced fee materials used in advanced fee agreements, including but not limited  
22 to the contract form, any letters or cards used to solicit prospective sellers, and radio and  
23 television advertising, at least 10 calendar days before using them to obtain advance fee  
24 agreements, and from claiming, demanding, charging, and/or collecting advanced fees before a  
25 borrower is obligated to complete a loan.

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27 \\\

1 YOU, AMERICAN RIVER REAL ESTATE, INC., ITS DIRECTORS,  
2 OFFICERS, EMPLOYEES AND AGENTS, YOU, SCOTT WOODS, AND YOU LOUIS  
3 MASER ARE HEREBY PROHIBITED from collecting further advance fees until you provide  
4 evidence that you have placed all previously collected advance fees into a trust account and have  
5 provided an accounting to your principals pursuant to Section 2971 of the Regulations.

6  
7 DATED: 4/13, 2009

8  
9 JEFF DAVI  
Real Estate Commissioner

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12

13 BY: Barbara J. Bigby  
14 Chief Deputy Commissioner

15 cc: AMERICAN RIVER REAL ESTATE, INC.  
16 ATTN: SCOTT WOODS  
17 9580 Oak Avenue Parkway  
18 Suite 14  
Folsom, CA 95630

19 SCOTT WOODS  
20 9580 Oak Avenue Parkway  
21 Suite 14  
Folsom, CA 95630

22 LOUIS MASER  
23 400 – 12<sup>th</sup> Street  
Suite 27  
Modesto, CA 95307

24 LOUIS MASER  
25 P. O. Box 579937  
26 Modesto, CA 95355

27 TY MFC/kc