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FILED

JUN 26 2009

DEPARTMENT OF REAL ESTATE
By *A. Frost*

8 STATE OF CALIFORNIA
9 DEPARTMENT OF REAL ESTATE

10 * * *

11 TO:)
12) NO. H-10619 SF
13 TOM PONGRU aka TOM PONGRUJAPORN)
14 aka YUATANA PONGRUJAPORN, doing) FIRST AMENDED
15 business as QUICKLOAN2U.NET) ORDER TO DESIST AND REFRAIN
) (B&P Code Section 10086)
)

16 The Commissioner (hereinafter "Commissioner") of the California Department
17 of Real Estate (hereinafter "Department") caused an investigation to be made of the activities of
18 TOM PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA
19 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET. Based
20 on that investigation, the Commissioner has determined that TOM PONGRU, also known as
21 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business
22 under the fictitious name of QUICKLOAN2U.NET has engaged in, is engaging in, or is
23 attempting to engage in, acts or practices constituting violations of the California Business and
24 Professions Code (hereinafter "Code") and/or Title 10, California Code of Regulations
25 (hereinafter "Regulations"), including engaging in the business of, acting in the capacity of,
26 advertising, or assuming to act as, a real estate broker in the State of California within the
27 meaning of Section 10131(d) (performing services for borrowers in connection with loans

1 secured by real property) of the Code. Based on the findings of that investigation, as set forth
2 below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law,
3 and Desist and Refrain Order under authority of Section 10086 of the Code.

4 FINDINGS OF FACT

5 1. At no time herein mentioned has TOM PONGRU, also known as TOM
6 PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business under
7 the fictitious name of QUICKLOAN2U.NET, been licensed by the Department in any capacity.

8 2. During the period of time set out below, TOM PONGRU, also known as
9 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business
10 under the fictitious name of QUICKLOAN2U.NET, solicited borrowers and lenders and
11 negotiated to do one or more of the following acts for another or others, for or in expectation of
12 compensation: negotiate one or more loans for, or perform services for borrowers and/or lenders
13 in connection with loans secured directly or collaterally by one or more liens on real property.

14 3. For an unknown period of time prior to April 29, 2007, until and
15 including June 1, 2009, TOM PONGRU, also known as TOM PONGRUJAPORN, and also
16 known as YUATANA PONGRUJAPORN, doing business under the fictitious name of
17 QUICKLOAN2U.NET, for or in expectation of compensation, solicited Ralph Phillip Kiehl and
18 Cynthia Jo Kiehl as borrowers for the purpose of obtaining a loan to be secured by the
19 borrowers' real property, commonly known as 13986 Mataliza Court in Phelan, San Bernardino
20 County, California, in violation of Sections 10130 and 10131(d) of the Code.

21 4. On or about May 8, 2007, TOM PONGRU, also known as TOM
22 PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business under
23 the fictitious name of QUICKLOAN2U.NET, for or in expectation of compensation, solicited
24 Ralph Phillip Kiehl and Cynthia Jo Kiehl as borrowers for the purpose of obtaining a loan to be
25 secured by the borrowers' real property, commonly known as 13986 Mataliza Court in Phelan,
26 San Bernardino County, California, negotiated for, demanded and collected from said
27 borrowers, an advance fee of \$1,000.00 pursuant to a written agreement with said borrowers

1 without first obtaining approval of an advance fee agreement from the Commissioner in
2 violation of Sections 10085 and 10085.5 of the Code.

3 CONCLUSIONS OF LAW

4 5. Based on the information contained in paragraphs 1 through 4, TOM
5 PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA
6 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET,
7 solicited borrowers and lenders, negotiated loans, and performed services for those borrowers
8 and/or those borrowers' lenders in connection with loans secured or to be secured directly or
9 collaterally by one or more liens on real property, which requires a real estate license under
10 Section 10131(d) of the Code, during a period of time when TOM PONGRU, also known as
11 TOM PONGRUJAPORN, and also known as YUATANA PONGRUJAPORN, doing business
12 under the fictitious name of QUICKLOAN2U.NET, was not licensed by the Department in any
13 capacity and demanded and collected advance fees in violation of Section 10085.5 of the Code.

14 6. Based on the information contained in paragraphs 1 through 4, TOM
15 PONGRU, also known as TOM PONGRUJAPORN, and also known as YUATANA
16 PONGRUJAPORN, doing business under the fictitious name of QUICKLOAN2U.NET, also
17 violated Section 10139 of the Code, which violation is a public offense punishable by a fine not
18 exceeding twenty thousand dollars (\$20,000.00), or by imprisonment in the county jail for a
19 term not to exceed six months, or by both fine and imprisonment or, when violated by a
20 corporation, punishable by a fine not exceeding sixty thousand dollars (\$60,000.00).

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1 DESIST AND REFRAIN ORDER

2 Based on the Findings of Fact and Conclusions of Law stated herein;

3 TOM PONGRU, also known as TOM PONGRUJAPORN, and also known as
4 YUATANA PONGRUJAPORN, doing business under the fictitious name of
5 QUICKLOAN2U.NET, doing business under your own name, or any other names, ARE
6 HEREBY ORDERED to:

7 1. Immediately desist and refrain from performing any acts within the State
8 of California for which a real estate broker license is required. In particular you are ordered to
9 desist and refrain from:

10 (i) Soliciting borrowers or lenders and/or performing services for borrowers
11 or lenders in connection with loans secured or to be secured directly or collaterally by one or
12 more liens on real property; and,

13 (ii) From charging, demanding, or collecting advance fees unless and until
14 you obtain a real estate broker license issued by the Department, and until you demonstrate and
15 provide evidence satisfactory to the Commissioner that you are in full compliance with all of the
16 requirements of the Regulations relating to charging, collecting, and accounting for advance
17 fees.

18 2. Immediately desist and refrain from employing individuals to perform
19 any acts within the State of California for which a real estate broker license is required, unless
20 and until such individuals obtain a real estate broker license issued by the Department.

21 3. Immediately desist and refrain from demanding or collecting advance
22 fees, as that term is defined in Section 10026 of the Code, in any form and particularly with
23 respect to loan modification, loan refinance, principal reduction, foreclosure abatement or short
24 sale services, unless and until you demonstrate and provide evidence satisfactory to the
25 Commissioner that you have:

26 (i) An advance fee agreement which has been submitted to the Department
27 and which is in compliance with Sections 2970 and 2972 of the Regulations;

1 (ii) Placed all previously collected advance fees into a trust account for that
2 purpose and are in compliance with Section 10146 of the Code; and,

3 (iii) Provided an accounting to trust fund owner-beneficiaries pursuant to
4 Section 2972 of the Regulations.

5 DATED: 6/23/09

6 JEFF DAVI
7 Real Estate Commissioner

8 By 
9 BARBARA BIGBY
10 Chief Deputy Commissioner

11 -NOTICE-

12 Business and Professions Code Section 10139 provides that "Any person acting
13 as a real estate broker or real estate salesperson without a license or who advertises using words
14 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
15 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
16 imprisonment in the county jail for a term not to exceed six months, or by both fine and
17 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
18 (\$60,000). . . ."

19 cc: TOM PONGRU,
20 aka TOM PONGRUJAPORN
21 aka YUATANA PONGRUJAPORN,
22 dba QUICKLOAN2U.NET
23 517 Highland Avenue
Half Moon Bay, CA 94019

24 TOM PONGRU,
25 aka TOM PONGRUJAPORN
26 aka YUATANA PONGRUJAPORN,
27 dba QUICKLOAN2U.NET
20 Stone Pine Avenue
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