

1 DEPARTMENT OF REAL ESTATE
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FILED

FEB 22 2013

DEPARTMENT OF REAL ESTATE

By K. Contreras

8 BEFORE THE
9 DEPARTMENT OF REAL ESTATE
10 STATE OF CALIFORNIA

11 * * *

12 TO:)
13) NO. H-2808 FR
14 CHRISTINE M. PAPWORTH) ORDER TO DESIST AND REFRAIN
15) (B & P Code Section 10086)
16)

17 The Real Estate Commissioner (Commissioner) of the California Department
18 of Real Estate (Department) has caused an investigation to be made of the activities of
19 CHRISTINE M. PAPWORTH (PAPWORTH). Based on that investigation, the Commissioner
20 has determined that PAPWORTH has engaged in, is engaging in, or is attempting to engage in,
21 acts or practices constituting violations of the California Business and Professions Code (Code)
22 in that she has violated Sections 10085 (advance fee materials), 10085.5 and 10085.6 (collecting
23 advance fees), 10176(i) (fraud or dishonest dealing), 10145 (trust fund handling), and/or
24 10177(g) (negligence), and/or 10177(j) (fraud or dishonest dealing) of the Code. Furthermore,
25 based on the investigation, the Commissioner hereby issues the following Findings of Fact,
26 Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the
27 Code.

1 Whenever acts referred to below are attributed to PAPWORTH those acts are
2 alleged to have been done by PAPWORTH acting by herself, or by and/or through one or more
3 agents, associates, affiliates, and/or co-conspirators, known or unknown.

4 FINDINGS OF FACT

5 1. PAPWORTH has been licensed by the Department as a real estate broker
6 since July 19, 1990; said license will expire July 14, 2014.

7 2. Between about May 6, 2009 and about June 3, 2010, Respondent demanded
8 and collected advance fees for services in connection with loans secured directly or collaterally
9 by one or more liens on real property and/or as a short sale negotiator from the following
10 homeowners prior to submitting an advance fee agreement for review by the Commissioner
11 and failed to maintain a record of, or account for, said advance fees, in violation of
12 Sections 10085, 10085.5 and 10085.6, 10176(i), 10145, and/or 10177(g) and/or 10177(j) of
13 the Code.

<u>Owner</u>	<u>Property Address</u>	<u>Dates</u>	<u>Amount Collected</u>
Oscar V.	Stanislaus St. Riverbank, CA	5/6/09 5/16/09 6/2/09 7/2/09	\$ 18.50 \$ 700.00 \$ 700.00 \$ 700.00
Roger C.	Intrigue Lane Manteca, CA	5/3/10 6/3/10	\$2,000.00 \$1,500.00

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20 CONCLUSIONS OF LAW

21 Based on the Findings of Fact contained in Paragraphs 1 and 2, PAPWORTH
22 acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-
23 conspirators performed services for borrowers in connection with loans secured directly or
24 collaterally by one or more liens on real property and/or as a short sale negotiator and charged,
25 demanded or collected advance fees for said services, in violation of Sections 10085, 10085.5
26 and 10085.6, 10176(i), 10145, and/or 10177(g) and/or 10177(j) of the Code.

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1 DESIST AND REFRAIN ORDER


2 Based on the Findings of Fact and Conclusions of Law stated herein,
3 PAPWORTH, whether doing business under her own name, or any other names or fictitious
4 names, IS HEREBY ORDERED TO IMMEDIATELY DESIST AND REFRAIN from:

5 1. charging, demanding, claiming, collecting and/or receiving advance fees, as that
6 term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to
7 the performance of loan modifications or any other form of mortgage loan forbearance service in
8 connection with loans on residential property containing four or fewer dwelling units (Code Section
9 10085.6); and,

10 2. charging, demanding, claiming, collecting and/or receiving advance fees, as that
11 term is defined in Section 10026 of the Code, for any other real estate related services offered by her
12 to others.

13 DATED: October 25, 2012

14
15 Real Estate Commissioner

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18 By WAYNE S. BELL
19 Chief Counsel

20 **-NOTICE-**

21 Business and Professions Code Section 10085.6(b) provides that "A violation of
22 this section by a natural person who is a licensee is a public offense punishable by a fine not
23 exceeding ten thousand dollars (\$10,000), by imprisonment in the county jail for a term not to
24 exceed one year, or by both that fine and imprisonment, or if by a corporation, the violation is
25 punishable by a fine not exceeding fifty thousand dollars (\$50,000). These penalties are
26 cumulative to any other remedies or penalties provided by law."

27 cc: CHRISTINE M. PAPWORTH
3555 Deer Park Drive, Suite 160
Stockton, CA 95219; and,
18496 E. Munro Ave.
Stockton, CA 95215

ATTY MFC/kc