

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013-1105

4 (213) 576-6982

FILED

MAR 13 2009

DEPARTMENT OF REAL ESTATE

BY: 

11 BEFORE THE DEPARTMENT OF REAL ESTATE

12 STATE OF CALIFORNIA

13 * * *

14 To:

No. H-35778 LA

15 TRUWEST FINANCIAL INC.,)
16 and JASON MICHAEL JONES,)
17 individually, and as design-)
18 nated officer of TruWest)
19 Financial, Inc.,)

ORDER TO DESIST
AND REFRAIN

19 Respondents.)
20 _____)

21 The Real Estate Commissioner of the State of
22 California has caused an investigation to be conducted of your
23 activities as a real estate broker, and based on the findings of
24 that investigation, is of the opinion that, you, TRUWEST
25 FINANCIAL INC., and, you, JASON MICHAEL JONES, individually, as
26 designated broker-officer of TRUWEST FINANCIAL INC., have
27 violated Section 10085 of the Business and Professions Code

1 (hereinafter "Code") and Section 2970 of Chapter 6, Title 10,
2 California Code of Regulations (hereinafter "Regulations").

3 1.

4 At all times mentioned herein, you, TRUWEST FINANCIAL
5 INC. were licensed by the Department of Real Estate of the State
6 of California (hereinafter "Department") as a corporate real
7 estate broker with Respondent JASON MICHAEL JONES as the
8 designated officer.

9 2.

10 At all times mentioned herein, you, JASON MICHAEL
11 JONES, individually, and as designated officer of TRUWEST
12 FINANCIAL INC. were licensed by the Department as a real estate
13 broker.

14 3.

15 At all times material herein, in the State of
16 California, you engaged in the business of claiming, demanding,
17 charging, receiving, collecting or contracting for the
18 collection of advance fees, within the meaning of Code Section
19 10026, including, but not limited to, the following loan
20 modification activities with respect to loans which were secured
21 by liens on real property:

22 a. On or about May 15, 2008, Respondents contracted
23 to collect and/or collected an advance fee of \$1,500 from Martha
24 and Saul Aguilera pursuant to the provisions of a written
25 agreement pertaining to loan modification services to be
26 provided by Respondents with respect to a loan secured by the
27

1 real property located at 13009 Correnti Street, Arleta,
2 California 91331.

3 b. On or about June 21, 2008, Respondents contracted
4 to collect and/or collected an advance fee of \$1,500 for one
5 loan and \$2,000 for two loans from Silvia Cabrera pursuant to
6 the provisions of a written agreement pertaining to loan
7 modification services to be provided by Respondents with respect
8 to a loan secured by the real property located at 11909 Cheshire
9 Street, Norwalk, California 90650.

10 c. On or about July 16, 2008, Respondents contracted
11 to collect and/or collected an advance fee of \$2,000 for one
12 loan and \$2,500 for two loans from William Andrade pursuant to
13 the provisions of a written agreement pertaining to loan
14 modification services to be provided by Respondents with respect
15 to a loan secured by the real property located at 436 East 42nd
16 Place, Los Angeles, California 90011.

17 d. On or about July 20, 2008, Respondents contracted
18 to collect and/or collected an advance fee of \$2,000 from Jose
19 L. Orozco pursuant to the provisions of a written agreement
20 pertaining to loan modification services to be provided by
21 Respondents with respect to a loan secured by the real property
22 located at 12214 Pinney Street, Lakeview Terrace, California
23 91342.

24
25 ///
26 ///
27 ///

4.

1
2 You collected the above described advance fees
3 pursuant to the provisions of a document entitled "Los
4 Modification Fee Contract," the written agreement described in
5 Paragraph 4, above, which document constitutes an advance fee
6 agreement within the meaning of Code Section 10085.

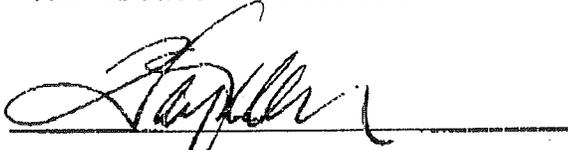
7 5.

8 You failed to submit the written agreements referred
9 to in Paragraph 4, above, to the Commissioner ten days before
10 using them in violation of Code Section 10085 and Regulation
11 2970.

12 NOW, THEREFORE, YOU, TRUWEST FINANCIAL INC., and, YOU,
13 JASON MICHAEL JONES, ARE ORDERED TO DESIST AND REFRAIN from
14 collecting advance fees within the meaning of Code Section 10026
15 unless and until you are in compliance with Code Section 10085
16 and Regulation 2970.

17
18 DATED: 3/13, 2009.

19
20 JEFF DAVI
Real Estate Commissioner

21
22 

23 By WAYNE S. BELL
Chief Counsel

24 cc: TRUWEST FINANCIAL INC.
13962 Oxnard Street
25 Van Nuys, California 91401

26 JASON MICHAEL JONES
13962 Oxnard Street
27 Van Nuys, California 91401