

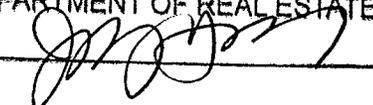
1 Department of Real Estate
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FILED

AUG - 5 2009

DEPARTMENT OF REAL ESTATE

BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * * *

11 To:) No. H-36159 LA
12)
13 HOMESAVORS, INC., MAURICE) ORDER TO DESIST
14 METTERS, RALPH METTERS, MARY) AND REFRAIN
15 MORRIS.) (B&P Code Section 10086)
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16 The Commissioner ("Commissioner") of the California
17 Department of Real Estate ("Department") caused an investigation
18 to be made of the activities of HOMESAVORS, INC., MAURICE
19 METTERS, RALPH METTERS and MARY MORRIS, and has determined that
20 these persons, and each of them, have engaged in or are engaging
21 in acts or practices constituting violations of the California
22 Business and Professions Code ("Code") and/or Title 10,
23 California Code of Regulations ("Regulations") including engaging
24 in the business of, acting in the capacity of, advertising, or
25 assuming to act, as real estate brokers in the State of
26 California within the meaning of Section 10131(d) (soliciting
27 borrowers or lenders or negotiating loans) and Section 10131.2

1 (claiming advance fees in connection with a loan) of the Code.
2 Based on the findings of that investigation, as set forth below,
3 the Commissioner hereby issues the following Findings of Fact,
4 Conclusions of Law and Desist and Refrain Order pursuant to
5 Section 10086 of the Code.

6 FINDINGS OF FACT

7 1. At no time herein mentioned has HOMESAVORS, INC.,
8 MAURICE METTERS, RALPH METTERS or MARY MORRIS been licensed by
9 the Department in any capacity.

10 2. On the occasions set forth below HOMESAVORS,
11 INC., MAURICE METTERS, RALPH METTERS and MARY MORRIS engaged in
12 the business of, acted in the capacity of, or advertised a loan
13 modification service and advance fee brokerage offering to
14 perform and performing loan modification services with respect
15 to loans which were secured by liens on real property for
16 compensation or in expectation of compensation and for fees
17 often collected in advance, including but not limited to the
18 following:

19 a. On or about August 14, 2008, MARY MORRIS, acting
20 on behalf of HOMESAVORS, INC., entered into agreements, entitled
21 "Agreement of Agency," "Mortgage Authorization Release Form,"
22 and "Homeowner Obligation" with Diane Wayne ("Wayne") to
23 negotiate a loan modification with respect to loans secured by a
24 liens on six real properties ("Properties") in exchange for an
25 advance fee payment of approximately \$2,195 for each property.
26 The addresses of the Properties are as follows: 30834 Anderson
27 Circle, Menifee, California 92584; 26656 Sun City Boulevard, Sun

1 City, California 92586; 29977 Lagunita Court, Menifee,
2 California 92584; 4848 N. 36th Street, No. 109, Phoenix, Arizona
3 85018; 4644 N. 22nd Street, Unit No. 1122, Phoenix, Arizona
4 85016; 4644 N. 22nd Street, Unit No. 1080, Phoenix, Arizona
5 85016. Though Wayne paid HOMESAVORS, INC. sums totaling
6 approximately \$2,195 for each of the Properties, as of December
7 23, 2008, and thereafter, HOMESAVORS, INC. failed to contact the
8 lenders holding liens on the Properties and to otherwise perform
9 the agreed upon loan modification services with respect to the
10 Properties.

11 Commissioner's Prior Desist and Refrain Order

12 3. On or about April 14, 2009, in Department Case No.
13 H-35881 LA, the Commissioner ordered HOMESAVORS, INC. to cease
14 and desist from performing any and all acts requiring a real
15 estate license in the State of California until it obtained the
16 required real estate license from the Department.

17 CONCLUSIONS OF LAW

18 4. Based on the information contained in Paragraph
19 2, above, HOMESAVORS, INC., MAURICE METTERS, RALPH METTERS and
20 MARY MORRIS have performed and/or participated in loan
21 modification activities which require a license under the
22 provisions of Code Sections 10131(d) and 10131.2 during a period
23 of time when none of them was licensed by the Department in any
24 capacity. Said conduct, acts and omissions are in violation of
25 Code Section 10130.

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