

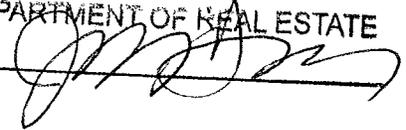
1 DEPARTMENT OF REAL ESTATE
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013

3 (213) 576-6982

FILED

MAY 18 2010

DEPARTMENT OF REAL ESTATE

BY: 

9 STATE OF CALIFORNIA

10 DEPARTMENT OF REAL ESTATE

11 To:)
12 POSITIVE EQUITY PARTNERS FINANCIAL) NO. H- 36639 LA
EDUCATION WORKSHOPS and VEE)
13 MARSHALL, individually and dba Positive Equity)
Partners Financial Education Workshops and/or)
14 any other names or fictitious names used by Vee) ORDER TO DESIST AND
15 Marshall) REFRAIN
) (B&P Code Section 10086)
16)

17
18 The Commissioner (Commissioner) of the California Department of Real Estate
19 (Department) caused an investigation to be made of the activities of POSITIVE EQUITY
20 PARTNERS FINANCIAL EDUCATION WORKSHOPS (“POSITIVE EQUITY”) and VEE
21 MARSHALL (“MARSHALL”). Based on that investigation, the Commissioner has determined
22 that POSITIVE EQUITY and MARSHALL have engaged in, are engaging in, or are attempting
23 to engage in, acts or practices constituting violations of the California Business and Professions
24 Code (Code), including violating Code Section 10130 by engaging in the business of, acting in
25 the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of
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1 California within the meaning of Code Section 10131(d) (solicit, negotiate or perform services
2 for borrowers in connection with loans secured by real property). Furthermore, based on the
3 investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of
4 Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

5 Whenever acts referred to below are attributed to POSITIVE EQUITY or MARSHALL,
6 those acts are alleged to have been done by MARSHALL, acting by himself, or by and/or through
7 one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to
8 POSITIVE EQUITY and using the names "Positive Equity Partners Financial Education
9 Workshops" or other names or fictitious names unknown at this time.
10

11 FINDINGS OF FACT

12 1. POSITIVE EQUITY is not now, and has never been, licensed by the Department in any
13 capacity. POSITIVE EQUITY is an active California non-profit corporation with Articles of
14 Incorporation on file with the California Secretary of State. MARSHALL is designated as the
15 Agent for Service of Process.
16

17 2. MARSHALL is not now, and has never been, licensed by the Department in any capacity.

18 3. POSITIVE EQUITY and MARSHALL solicited borrowers and negotiated to do one or
19 more of the following acts for another or others, for or in expectation of compensation: solicit or
20 negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection
21 with loans secured directly or collaterally by one or more liens on real property; and charge,
22 demand or collect an advance fee for any of the services offered.
23

24 4. POSITIVE EQUITY and MARSHALL advertised, and continue to advertise, services under
25 one or more business names including, but not limited to, "Positive Equity Partners Financial
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1 Education Workshops" and "Positive Equity Partners" in various print and electronic media,
2 including a website located at <http://positiveequitypartners.com/> Those advertisements
3 solicited and continue to solicit borrowers, offering loan negotiation and modification services.

4 Daniel Soto's transaction

5
6 5. In approximately October 2008, Daniel Soto ("Soto") attended a workshop presented by
7 MARSHALL wherein MARSHALL promised attendees loan negotiation and modification
8 results within 90 days.

9 6. Between October 2008 and November 2008, Soto paid MARSHALL a total of \$4,000.00 for
10 MARSHALL's loan negotiation and modification services to save Soto's two properties from
11 being lost in foreclosure.

12 7. Soto received from POSITIVE EQUITY two letters dated October 24, 2008 regarding his
13 properties and a copy of a handwritten, incomplete Uniform Residential Loan Application. Soto
14 was unsuccessful in further attempts at communication with MARSHALL and/or POSITIVE
15 EQUITY.

16 8. The 90-day period passed and Soto continued to receive no communications from
17 MARSHALL and POSITIVE EQUITY.

18 9. Soto's attorney sent a demand letter to MARSHALL and POSITIVE EQUITY on or about
19 February 19, 2009 requesting a refund of Soto's monies.

20 10. In response to Soto's attorney's demand letter, MARSHALL and POSITIVE EQUITY
21 sent a letter on or about February 23, 2009 regarding an audit of Soto's account.

22 11. In further response to Soto's attorney's demand letter, MARSHALL and POSITIVE
23 EQUITY sent another letter on or about February 25, 2009.

24 12. On or about March 19, 2009, in Van Nuys Small Claims, Soto filed a claim against
25 MARSHALL and POSITIVE EQUITY PARTNERS.

26 13. On October 28, 2009, the Van Nuys Small Claims court entered a judgment against
27 POSITIVE EQUITY in the amount \$4,110.00.

1 DESIST AND REFRAIN ORDER

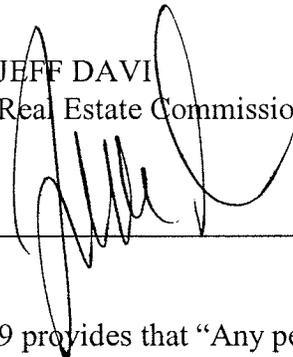
2 Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered
3 that POSITIVE EQUITY PARTNERS FINANCIAL EDUCATION WORKSHOPS and VEE
4 MARSHALL, whether doing business under their own names, or any other names, or any
5 fictitious name, IS HEREBY ORDERED to immediately desist and refrain from performing any
6 acts within the State of California for which a real estate broker license is required. In particular
7 YOU are ORDERED TO DESIST AND REFRAIN from:

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

13 2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is
14 defined in Code Section 10026, for any other real estate related services offered by them to
15 others.

16
17 DATED: 5/10 2010

18 JEFF DAVIS
19 Real Estate Commissioner

20
21 By 

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

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cc: POSITIVE EQUITY PARTNERS FINANCIAL EDUCATION WORKSHOPS
3940 Laurel Canyon Blvd., #1041
Studio City, CA 91604

Vee Marshall
3940 Laurel Canyon Blvd., #1041
Studio City, CA 91604