

FILED

MAR - 8 2012

1 Department of Real Estate
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3 Los Angeles, California 90013-1105

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DEPARTMENT OF REAL ESTATE
BY: C-2

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-37953 LA
)	
CHRISTOPHER NEIL RICHARDSON)		<u>ORDER TO DESIST</u>
and REAL ESTATE FORECLOSURE)		<u>AND REFRAIN</u>
HELP, INC.)		
)	(B&P Code Section 10086)
)	

16 The Commissioner ("Commissioner") of the California Department of Real Estate
17 ("Department") caused an investigation to be made of the activities of CHRISTOPHER NEIL
18 RICHARDSON and REAL ESTATE FORECLOSURE HELP, INC. Based on that investigation
19 the Commissioner has determined that CHRISTOPHER NEIL RICHARDSON and REAL
20 ESTATE FORECLOSURE HELP, INC. have engaged in, are engaging in acts, attempting to
21 engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real
22 estate brokers in the State of California within the meaning of Business and Professions Code
23 Section 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in
24 connection with loans secured by liens on real property).

25 In addition, based on that investigation, the Commissioner has determined that
26 CHRISTOPHER NEIL RICHARDSON and REAL ESTATE FORECLOSURE HELP, INC.
27 have engaged in, are engaging in acts or are attempting to engage in practices constituting

1 violations of the California Business and Professions Code (“Code”) and/or Title 10, California
2 Code of Regulations (“Regulations”). Based on the findings of that investigation, set forth
3 below, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and
4 Desist and Refrain Order under the authority of Section 10086 of the Code.

5 FINDINGS OF FACT

6 1. From May 7, 2007 through the present, CHRISTOPHER NEIL
7 RICHARDSON has been licensed as a real estate salesperson (License No. 01806519) by the
8 Department.

9 2. At no time mentioned herein has REAL ESTATE FORECLOSURE HELP,
10 INC. ever been licensed by the Department in any capacity.

11 3. REAL ESTATE FORECLOSURE HELP, INC. is a California corporation.
12 CHRISTOPHER NEIL RICHARDSON is the Chief Executive Officer, Chief Financial Officer,
13 and agent for service of process for REAL ESTATE FORECLOSURE HELP, INC. On
14 December 8, 2010, a certificate of dissolution of REAL ESTATE FORECLOSURE HELP, INC.
15 was filed with the California Secretary of State.

16 4. For an unknown period of time beginning no later than February 19, 2009,
17 through June, 2009, CHRISTOPHER NEIL RICHARDSON, while using the unlicensed
18 fictitious business name REAL ESTATE FORECLOSURE HELP, INC., engaged in the business
19 of soliciting borrowers or offering to perform services for borrowers including forensic loan
20 audits, modification or negotiation in connection with loans secured by real property. In an
21 effort to circumvent existing laws concerning the charging or collecting of advance fees by real
22 estate brokers, CHRISTOPHER NEIL RICHARDSON and REAL ESTATE FORECLOSURE
23 HELP, INC. provided the borrowers noted below with an advance fee agreement entitled
24 “Mortgage Loan Document Audit Agreement” for loan modification and negotiation services
25 that said borrowers expected to receive from CHRISTOPHER NEIL RICHARDSON and REAL
26 ESTATE FORECLOSURE HELP, INC. CHRISTOPHER NEIL RICHARDSON and REAL
27 ESTATE FORECLOSURE HELP, INC., claimed, demanded, charged, received, collected or

1 contracted for the collection of advance fees, within the meaning of Code Section 10026, for the
2 following borrowers, among others:

3 a. On or about February 19, 2009, CHRISTOPHER NEIL RICHARDSON and
4 REAL ESTATE FORECLOSURE HELP, INC. charged borrower Gloria M. an advance fee of
5 \$995 pursuant to an advance fee agreement for loan modification and negotiation services in
6 connection with a loan secured by real property.

7 b. On or about March 20, 2009, CHRISTOPHER NEIL RICHARDSON and
8 REAL ESTATE FORECLOSURE HELP, INC. charged borrower Harold W. an advance fee of
9 \$2,995 pursuant to an advance fee agreement for loan modification and negotiation services in
10 connection with a loan secured by real property. REAL ESTATE FORECLOSURE HELP, INC.
11 failed to perform the loan modification and negotiation services that had been promised to
12 Harold W. REAL ESTATE FORECLOSURE HELP, INC. failed to refund the advance fee paid
13 by Harold W.

14 c. On or about March 24, 2009, CHRISTOPHER NEIL RICHARDSON and
15 REAL ESTATE FORECLOSURE HELP, INC. charged borrowers Edna and Cesar G. an
16 advance fee of \$2,995 pursuant to an advance fee agreement for loan modification and
17 negotiation services in connection with a loan secured by real property.

18 d. On or about June 15, 2009, CHRISTOPHER NEIL RICHARDSON and
19 REAL ESTATE FORECLOSURE HELP, INC. charged borrower, Ana M. an advance fee of
20 \$2,500 pursuant to an advance fee agreement for loan modification and negotiation services in
21 connection with a loan secured by real property. REAL ESTATE FORECLOSURE HELP, INC.
22 failed to perform the loan modification and negotiation services that had been promised to Ana
23 M. REAL ESTATE FORECLOSURE HELP, INC. failed to refund the advance fee paid by Ana
24 M.

25 e. On or about June 17, 2009, Diane W. paid an advance fee of \$1,500 to REAL
26 ESTATE FORECLOSURE HELP, INC. pursuant to an advance fee agreement for loan
27 modification and negotiation services in connection with a loan secured by real property. REAL

1 ESTATE FORECLOSURE HELP, INC. failed to perform the loan modification and negotiation
2 services that had been promised to Diane W. REAL ESTATE FORECLOSURE HELP, INC.
3 failed to refund the advance fee paid by Diane W.

4 CONCLUSIONS OF LAW

5 Based on the information contained in Paragraphs 1 through 4, above,
6 CHRISTOPHER NEIL RICHARDSON and REAL ESTATE FORECLOSURE HELP, INC.
7 violated Section 10130 of the Code by engaging in the activities without first obtaining a broker
8 license from the Department.

9 DESIST AND REFRAIN ORDER

10 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
11 herein, IT IS HEREBY ORDERED THAT CHRISTOPHER NEIL RICHARDSON and REAL
12 ESTATE FORECLOSURE HELP, INC. whether doing business under their own names, or any
13 other names, or any fictitious name, ARE HEREBY ORDERED to immediately desist and
14 refrain from performing any acts within the State of California for which a real estate broker
15 license is required. In particular each of them is ORDERED TO DESIST AND REFRAIN from:

16 1. charging, demanding, claiming, collecting and/or receiving advance fees, as
17 that term is defined in Section 10026 of the Code, in any form, and under any conditions, with
18 respect to the performance of loan modifications or any other form of mortgage loan forbearance
19 service in connection with loan on residential property containing four or fewer dwelling units;
20 and

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

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1 DATED: 8/21, 2012.

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3 Barbara J. Bigby
Acting Real Estate Commissioner

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9 **Notice:** Business and Professions Code Section 10139 provides that “Any person acting as a
10 real estate broker or real estate salesperson without a license or who advertises using words
11 indicating that he or she is a real estate broker without being so licensed shall be guilty of a
12 public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by
13 imprisonment in the county jail for a term not to exceed six months, or by both fine and
14 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
15 (\$60,000).”
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23 cc: Christopher Neil Richardson
24 Real Estate Foreclosure Help, Inc.
25 2973 Harbor Blvd., #145
26 Costa Mesa, CA 92626
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