STATE OF CALIFORNIA

BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF CORPORATIONS

TO: PREMSERV MORTGAGE 7700 Irvine Center Drive, Ste. 220 Irvine, California 92618

SCOTT D. ROBERTS 567 San Nicholas, Ste. 320 Newport Beach, California 92660

DESIST AND REFRAIN ORDER (For violations of California Financial Code section 22100)

The California Corporations Commissioner finds that:

- 1. Premserv Mortgage is a California corporation and has its principal place of business located at 7700 Irvine Center Drive, Suite 220, Irvine, California 92618.
- 2. Scott D. Roberts ("Roberts") is, and was at all times relevant herein, the president and chief financial officer of Premserv Mortgage.
- 3. Premserv Mortgage and Roberts have engaged in the business of a finance lender and/or broker from about March 2004 through at least April 2004 as described below.
- 4. At all times relevant herein, Premserv Mortgage had a website located at www.premserv.com wherein Premserv Mortgage represents to the public that it is a consumer direct lender. The website of Premserv Mortgage allows members of the public to apply for a loan online.
- 5. An examination of Premserv Mortgage conducted by the California Corporations Commissioner ("Commissioner") in April 2004 disclosed that Premserv Mortgage had brokered or was in the process of brokering at least seven loans. The loan files disclose that Premserv Mortgage had been engaged in providing brokerage services on these loans since at least March 31, 2004. The loan files disclosed Bridge Capital Corporation as the proposed lender. Bridge Capital Corporation is a licensee of the Commissioner under the California Finance Lenders Law ("CFLL").

- 6. Neither Premserv Mortgage nor Roberts have been issued a license by the
 Commissioner authorizing them to engage in the business of a finance lender or broker under the
 CFLL.
 7. Neither Premserv Mortgage nor Roberts is exempt from the licensing
 requirements of California Financial Code section 22100.
- 8. The examination disclosed that none of the individuals engaging in lending and/or brokering activities at the premises of Premserv Mortgage was an employee of Bridge Capital Corporation.
- 9. Premserv Mortgage was not licensed to make or broker loans under the authority of the Department of Real Estate until July 17, 2004. Premserv, Inc., an affiliate of Premserv Mortgage, was not licensed to make or broker loans under the authority of the Department of Real Estate until May 7, 2004. Roberts is and was at all times relevant herein the president and chief financial officer of Premserv, Inc.
- 9. None of the individuals listed on the employee list submitted to the Commissioner by Premserv Mortgage during the examination or noted during the examination as having worked on any of the seven loan files reviewed, including Roberts, is individually licensed by the Department of Real Estate as required by California Business and Professions Code sections 10130 and 10132 in order to make or broker loans in the State of California.

By reason of the foregoing, Premserv Mortgage and Roberts have engaged in business as a finance lender or broker without having first obtained a license from the Commissioner in violation of California Financial Code section 22100. Pursuant to California Financial Code section 22712, Premserv Mortgage and Roberts are hereby ordered to desist and refrain from engaging in the business of a finance lender or broker in the State of California without first obtaining a license from the Commissioner, or otherwise being exempt. This Order is necessary, in the public interest, for the protection of consumers and is consistent with the purposes, policies and provisions of the California Finance Lenders Law. This order shall remain in full force and effect until further order of the California Corporations Commissioner.

California Financial Code section 22712 provides in pertinent part:

Whenever, in the opinion of the commissioner, any person is engaged in business as a broker or finance lender, as defined in this division, without a license from the commissioner . . . the commissioner may order that person . . . to desist and to refrain from engaging in the business If, after the order is made, a written request for a hearing is filed and no hearing is held within 30 days thereafter, the order is rescinded.

Dated: July 22, 2004

Los Angeles, CA V

WILLIAM P. WOOD California Corporations Commissioner

Ken A. Nagashima Special Administrator

California Finance Lenders Law