

1 Department of Real Estate  
2 320 West Fourth Street, Ste. 350  
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

**FILED**

JUL 30 2009

DEPARTMENT OF REAL ESTATE

BY: 

8 DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \* \*

11 To: ) No. H-36147 LA  
12 )  
13 TIM HURLBUT INC., doing busi- ) ORDER TO DESIST  
14 ness as OK to Walk, TIMOTHY ) AND REFRAIN  
15 N. HURLBUT, ALAN VERZANI INC., ) (B&P Section 10086)  
16 doing business as OK to Walk, )  
17 ALAN VERZANI, KEVIN DEROSIER, )  
MICHAEL BARNETT, INC., and )  
MIKE BARNETT. )  
\_\_\_\_\_ )

18 The Commissioner ("Commissioner") of the California  
19 Department of Real Estate ("Department") caused an investigation  
20 to be made of the activities of TIM HURLBUT INC., doing business  
21 as Ok to Walk, TIMOTHY N. HURLBUT, ALAN VERZANI INC., doing  
22 business as Ok to Walk, ALAN VERZANI, KEVIN DEROSIER, MICHAEL  
23 BARNETT, INC. and MIKE BARNETT, and has determined that each has  
24 engaged in or are engaging in acts or practices constituting  
25 violations of the California Business and Professions Code  
26 ("Code") and/or Title 10, California Code of Regulations  
27 ("Regulations") including engaging in the business of, acting in

1 the capacity of, advertising, or assuming to act, as real estate  
2 brokers in the State of California within the meaning of Section  
3 10131(d) (soliciting borrowers or lenders or negotiating loans)  
4 and Section 10131.2 (claiming advance fees in connection with a  
5 loan) of the Code. Based on the findings of that investigation,  
6 as set forth below, the Commissioner hereby issues the following  
7 Findings of Fact and Desist and Refrain Order pursuant to Section  
8 10086 of the Code.

9 FINDINGS OF FACT

10 1. At no time herein mentioned has TIM HURLBUT INC.,  
11 doing business as OK to Walk, ALAN VERZANI INC., doing business  
12 as OK to Walk, ALAN VERZANI, KEVIN DEROSIER, MICHAEL BARNETT,  
13 INC. or MIKE BARNETT been licensed by the Department in any  
14 capacity.

15 2. TIMOTHY N. HURLBUT is presently licensed and/or  
16 has license rights under the Real Estate Law (Part 1 of Division  
17 4 of the Code) as a real estate salesperson.

18 3. At the time set forth below TIM HURLBUT INC.,  
19 doing business as OK to Walk, TIMOTHY N. HURLBUT, ALAN VERZANI  
20 INC., doing business as OK to Walk, ALAN VERZANI, KEVIN  
21 DEROSIER, MICHAEL BARNETT, INC. and MIKE BARNETT engaged in the  
22 business of, acted in the capacity of, or advertised a loan  
23 modification service and advance fee brokerage using the name OK  
24 to Walk offering to perform and performing loan modification  
25 services with respect to loans which were secured by liens on  
26 real property for compensation or in expectation of compensation  
27

1 and for fees often collected in advance as well as at the  
2 conclusion of the transaction.

3 a. On or about July 31, 2008, Ijeoma Maduakor paid an  
4 advance fee of \$2,500 to MIKE BARNETT and KEVIN DEROSIER, acting  
5 on behalf of MICHAEL BARNETT, INC. The advance fee was collected  
6 pursuant to the provisions of a written agreement pertaining to  
7 loan modification services to be provided by TIM HURLBUT INC.,  
8 doing business as OK to Walk, TIMOTHY N. HURLBUT, ALAN VERZANI  
9 INC., doing business as OK to Walk, and ALAN VERZANI with respect  
10 to a loan secured by the real property located at 1744 E.  
11 Helmick, Carson, California 90746.

12 b. On or about August 4, 2008, Joe and Mercy Udeochu  
13 (the "Udeochus") paid an advance fee of \$1,000 to MIKE BARNETT  
14 and KEVIN DEROSIER, acting on behalf of MICHAEL BARNETT, INC.  
15 The advance fee was collected pursuant to the provisions of a  
16 written agreement pertaining to loan modification services to be  
17 provided by TIM HURLBUT INC., doing business as OK to Walk,  
18 TIMOTHY N. HURLBUT, ALAN VERZANI INC., doing business as OK to  
19 Walk, and ALAN VERZANI with respect to a loan secured by the  
20 real property located at 19707 Reinhart Avenue, Carson,  
21 California 90746. Thereafter, on or about August 8, 2008, MIKE  
22 BARNETT and KEVIN DEROSIER, acting on behalf of MICHAEL BARNETT,  
23 INC., collected an additional advance fee of \$1,500 from the  
24 Udeochus pursuant to the provisions of the same loan  
25 modification agreement.  
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CONCLUSIONS OF LAW

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2 4. Based on the information contained in Paragraph  
3 3, above, TIM HURLBUT INC., doing business as OK to Walk, ALAN  
4 VERZANI INC., doing business as OK to Walk, ALAN VERZANI, KEVIN  
5 DEROSIER, MICHAEL BARNETT, INC. and MIKE BARNETT have performed  
6 and/or participated in loan modification activities which  
7 require a license under the provision of Code Sections 10131(d)  
8 and 10131.2 during a period of time when none of them were  
9 licensed by the Department in any capacity.

10 5. Based on the information contained in Paragraph  
11 3, above, TIMOTHY N. HURLBUT, performed and/or participated in  
12 loan modification activities which require a real estate broker  
13 license under the provisions of Code Sections 10131(d) and  
14 10131.2 during a period of time when he was not licensed by the  
15 Department as a real estate broker nor employed as a real estate  
16 salesperson by a broker on whose behalf the activities were  
17 performed.  
18

DESIST AND REFRAIN ORDER

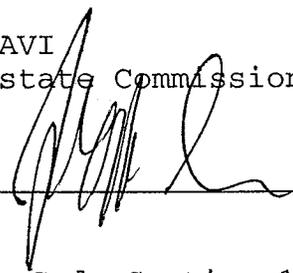
19  
20 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW  
21 stated herein, it is hereby ordered that TIM HURLBUT INC., doing  
22 business as Ok to Walk, TIMOTHY N. HURLBUT, ALAN VERZANI INC.,  
23 doing business as Ok to Walk, ALAN VERZANI, KEVIN DEROSIER,  
24 MICHAEL BARNETT, INC. and MIKE BARNETT, whether doing business  
25 under their own names, or any other names, or any fictitious  
26 name, ARE HEREBY ORDERED to immediately desist and refrain from  
27 performing any acts within the State of California for which a

1 real estate broker license is required. In particular each of  
2 them is ordered to desist and refrain from:

3 (i) soliciting borrowers and/or performing services for  
4 borrowers or lenders in connection with loans secured directly or  
5 collaterally by one or more liens on real property, and

6 (ii) charging, demanding, or collecting an advance fee  
7 for any of the services they offer to others, unless and until  
8 they obtain a real estate broker license issued by the  
9 Department, and until they demonstrate and provide evidence  
10 satisfactory to the Commissioner that they are in full  
11 compliance with all requirements of the Code and Regulations  
12 relating to charging, collecting, and accounting for advance  
13 fees.

14  
15 DATED: 7/29, 2009.

16  
17 JEFF DAVI  
18 Real Estate Commissioner  
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20 **Notice:** Business and Professions Code Section 10139 provides  
21 that "Any person acting as a real estate broker or real estate  
22 salesperson without a license or who advertises using words  
23 indicating that he or she is a real estate broker without being  
24 so licensed shall be guilty of a public offense punishable by a  
25 fine not exceeding twenty thousand dollars (\$20,000), or by  
26 imprisonment in the county jail for a term not to exceed six  
27 months, or by both fine and imprisonment; or if a corporation, be  
punished by a fine not exceeding sixty thousand dollars  
(\$60,000)."

cc: Tim Hurlbut Inc.  
806 E. Lincoln Avenue  
Orange, California 92865

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Tim Hurlbut Inc.  
1442 E. Lincoln Avenue #150  
Orange, California 92865

Timothy N. Hurlbut  
2207 Anacapa  
Irvine, California 92602

Alan Verzani Inc.  
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Alan Verzani Inc.  
9402 Hazel Circle  
Villa Park, California 92861

Alan Verzani  
806 E. Lincoln Avenue  
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Kevin Derosier  
806 E. Lincoln Avenue  
Orange, California 92865

Michael Barnett, Inc.  
941 Ridgcrest Circle  
Anaheim, California 92807

Michael Barnett, Inc.  
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Mike Barnett  
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