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DEPARTMENT OF REAL ESTATE
P. O. Box 187000
Sacramento, CA 95818-7000

DEPARTMENT OF REAL ESTATE

Telephone: (916) 227-0789

By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of:

JW FINANCIAL SOLUTIONS,
JESSE WHEELER, BLAKE CARTER
and DAVID NORTON,

Respondents.

NO. H-5531 SAC

NOTICE OF INTENTION
TO ISSUE BAR ORDER;
AND BAR ORDER

(B&P Code § 10087)

TO: JW FINANCIAL SOLUTIONS
Law Offices of Andrew J. Prendiville, APC
Agent for Service of Process
1624 Santa Clara Drive, Suite 140
Santa Rosa, CA 95661

JESSE WHEELER
2054 Blackheath Lane
Roseville, CA 95678

BLAKE CARTER
1624 Santa Clara Drive, Suite 140
Santa Rosa, CA 95661

DAVID NORTON
4010 Foothills Boulevard, Suite 103
Roseville, CA 95747

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1 JW FINANCIAL SOLUTIONS
2 Law Offices of Andrew J. Prendiville, APC
3 Agent for Service of Process
4 16480 Harbor Boulevard, Suite 102
5 Fountain Valley, CA 92708

6 Pursuant to Section 10087(b) of the California Business and Professions Code
7 (hereafter "the Code"), you, JW FINANCIAL SOLUTIONS (hereafter "JW FINANCIAL"),
8 JESSE WHEELER (hereafter "WHEELER"), BLAKE CARTER (hereafter "CARTER") and
9 DAVID NORTON (hereafter "NORTON"), (hereafter collectively "Respondents"), are hereby
10 notified of the intention of the California Real Estate Commissioner (hereafter "the
11 Commissioner") to issue a Bar Order pursuant to Section 10087(a) of the Code on the following
12 grounds:

13 1. The February 26, 2009, Order to Desist and Refrain, issued against and
14 served upon Respondents in Department of Real Estate Case No. H-5169 SAC, demanding that
15 Respondents cease all activities for which a license issued by the Department of Real Estate is
16 required;

17 2. At no time mentioned herein was JW FINANCIAL licensed by the
18 Department of Real Estate (hereafter "the Department") as a real estate broker or salesperson.

19 3. At no time mentioned herein was WHEELER licensed by the Department
20 as a real estate broker or salesperson. WHEELER is the President and CEO of JW
21 FINANCIAL.

22 4. At no time mentioned herein was CARTER licensed by the Department
23 as a real estate broker or salesperson.

24 5. At no time mentioned herein was NORTON licensed by the Department
25 as a real estate broker or salesperson.

26 6. At all times mentioned herein, JW FINANCIAL, WHEELER, CARTER
27 and NORTON were compensated for performing acts in furtherance of the activities set forth in
Paragraphs 7 through 10, below.

1 7. During the period from about September 2008 and continuing,
2 Respondents, among other activities, solicited and/or performed services for borrowers in
3 connection with loans secured directly or collaterally by liens on real property or on a business
4 opportunity, for or in expectation of compensation and claims, demanded, charged, received,
5 collected or contracted for an advance fee for such activities.

6 8. On September 2, 2008, JW FINANCIAL submitted a loan modification
7 package to the Department for review. On September 11, 2008, a representative from the
8 Department's Mortgage Loan Activities Section sent a letter to JW FINANCIAL which stated
9 that the Department had received and reviewed the advance fee agreement that was submitted
10 and had determined that it did not qualify to be reviewed because it was not submitted on behalf
11 of a licensed real estate corporation. In addition, the letter noted that it appeared that JW
12 FINANCIAL was operating a website that solicited mortgage loan business and requested that
13 JW FINANCIAL immediately discontinue using the website and all similar advertisements. In
14 a letter dated October 15, 2008, the Department noted that JW FINANCIAL was soliciting
15 consumers for real estate services which required a real estate license, including refinancing
16 their homes, from its website www.jwfscorp.com. In addition, the Department noted JW
17 FINANCIAL's website solicited borrowers whose loans would be "pooled" by JW
18 FINANCIAL's investors and then the purchase and sale of "pooled" notes would be negotiated.
19 Again, the Department informed JW FINANCIAL that its activities appeared to require a real
20 estate license and requested that JW FINANCIAL discontinue using the advertising
21 immediately.

22 9. On January 14, 2009, Sarah M. filed a formal written complaint with the
23 Department against JW FINANCIAL and CARTER. According to Sarah M., she spoke with
24 CARTER about JW FINANCIAL's "Save Your Home Program". CARTER informed Sarah M.
25 that there was an upfront fee of \$3,500 for the program. CARTER told Sarah M. that her loan
26 would be put in a pool with other loans and JW FINANCIAL would engage in a bidding process
27 with her lender. Before agreeing to participate in Respondents' program, Sarah M. contacted

1 (D) Participating in any real estate related business activity of a finance lender,
2 residential mortgage lender, bank credit union, escrow company, title
3 company or underwritten title company.

4 NOTICE OF RIGHT AND OPPORTUNITY FOR A HEARING

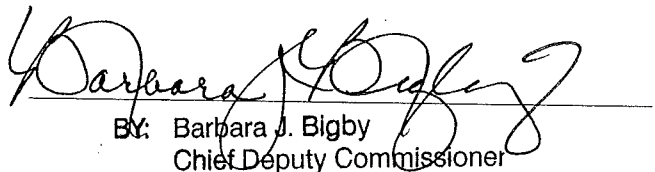
5 Pursuant to Section 10087 of the Code, you have the right to request a hearing
6 under the California Administrative Procedure Act (Chapter 4.5 – commencing with Section
7 11400 of the Government Code). If you desire a hearing, you must submit a written request
8 within fifteen (15) days after the mailing or service of this “Notice of Intention to Issue Bar
9 Order; and Bar Order”. The request may be in any form provided it is in writing, includes your
10 current return address, and indicates that you want a hearing, is signed by you or your behalf,
11 and is delivered or mailed to the Department of Real Estate, P. O. Box 187007, Sacramento,
12 California, 95818-7007, Attention Legal Section, or is delivered personally to the offices of the
13 Department of Real Estate, 2201 Broadway, Sacramento, California.

14 If no hearing is requested within said fifteen (15) day time period, your failure to
15 request a hearing shall constitute a waiver of the right to a hearing.

16 YOU ARE IMMEDIATELY PROHIBITED FROM ENGAGING IN ANY
17 BUSINESS ACTIVITY INVOLVING REAL ESTATE THAT IS SUBJECT TO
18 REGULATION UNDER THE REAL ESTATE LAW.

19 IT IS SO ORDERED THIS 9th DAY OF December, 2010.

20 JEFF DAVI
21 Real Estate Commissioner

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24 BY: Barbara J. Bigby
25 Chief Deputy Commissioner
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