

1 TRULY SUGHRUE, Counsel
2 State Bar No. 223266
3 Department of Real Estate
4 P.O. Box 187007
5 Sacramento, CA 95818-7007
6 Telephone: (916) 227-0789

FILED

FEB 4 2008

DEPARTMENT OF REAL ESTATE

By *R. Henry*

8
9 BEFORE THE
10 DEPARTMENT OF REAL ESTATE
11 STATE OF CALIFORNIA

12 * * *

13 To:) No. H-3769 SD
14)
15 AMERICAN PREMIER FUNDING INC.)
and ERIC WILLIAM VACA) ORDER TO
) DESIST AND REFRAIN

16
17 The Real Estate Commissioner of the State of
18 California (hereinafter "Commissioner") has caused an
19 investigation to be made of your activities and based upon the
20 findings herein below set forth, is of the opinion that you,
21 AMERICAN PREMIER FUNDING INC. and ERIC WILLIAM VACA, as a real
22 estate licensee, have violated Sections 10159.5, 10235, 14702,
23 17533.6, of the California Business and Professions Code
24 (hereinafter "Code") and Sections 2731, 2847.3, 2848(2),
25 2848(12), and 2848(16) of Title 10, California Code of
26 Regulations (hereinafter the "Regulations") by knowingly
27 advertising or causing or permitting to be advertised statements

1 or representations with regard to rates, terms, or conditions
2 for making or negotiating loans which are not in compliance with
3 advertising statutes and are also false, misleading or
4 deceptive.

5 I

6 At all times mentioned, AMERICAN PREMIER FUNDING INC.,
7 was and is licensed by the Department as a real estate broker
8 corporation.

9 II

10 At all times herein mentioned, ERIC WILLIAM VACA, was
11 and are licensed by the Department as a real estate broker, and
12 as the designated officer for AMERICAN PREMIER FUNDING INC.

13 III

14 On or about October 25, 2007, and November 2, 2007,
15 you caused to be mailed, advertisements which included
16 statements or representations with regard to rates, terms, or
17 conditions for making or negotiating loans which are not in
18 compliance with advertising statutes and are false, misleading
19 or deceptive.

20 IV

21 On or about November 9, 2007 Sylvia I. Yrigollen, a
22 Senior Deputy Commissioner, Mortgage Loan Activities Section, at
23 the Department, wrote you a letter informing you of the facts
24 noted in Paragraph III above, an explanation of reasons why the
25 advertisements were not in compliance with advertising statutes
26 and are false, misleading or deceptive, and advising you to
27 discontinue using the offending advertising, immediately.

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As of January 7, 2008, no response has been received by Ms. Yrigollen responding to the letter described in Paragraph IV.

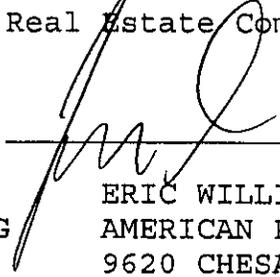
VI

In performing the acts described in Paragraph III, you knowingly advertised or caused or permitted to be advertised statements or representations with regard to rates, terms, or conditions for making or negotiating loans which is false, misleading or deceptive in violation of Sections 10159.5, 10235, 14702, 17533.6, of the Code and Sections 2731, 2847.3, 2848(2), 2848(12), and 2848(16), of the Regulations.

NOW THEREFORE, YOU, AMERICAN PREMIER FUNDING INC. and ERIC WILLIAM VACA, ARE HEREBY ORDERED TO DESIST AND REFRAIN from causing to be published advertisements which include statements or representations with regard to rates, terms, or conditions for making or negotiating loans which are not in compliance with advertising statutes and are false, misleading or deceptive.

DATED: 1-30-09

JEFF DAVI
Real Estate Commissioner



ERIC WILLIAM VACA

cc: ERIC WILLIAM VACA
AMERICAN PREMIER FUNDING
1525 KETTNER BLVD.
SAN DIEGO, CA 92101

ERIC WILLIAM VACA
AMERICAN PREMIER FUNDING
9620 CHESAPEAKE DRIVE #102
SAN DIEGO, CA 92123