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STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: Alston Ferris Capital Partners, LLC
244 Fifth Avenue, Suite 1446
New York, New York, 10001

Jeff Kaye
244 Fifth Avenue, Suite 1446
New York, New York, 10001

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

The California Corporations Commissioner (“Commissioner”) finds that:

1. At all relevant times, Alston Ferris Capital Partners, LLC (“Alston Ferris”) is and was an entity of unknown origin with its last known claimed address at 244 Fifth Avenue, Suite 1446, New York, New York 10001.

2. Jeff Kaye is and was a principal or manager of Alston Ferris claiming to be working at that address.

3. Alston Ferris has operated, and continues to operate, a website at www.alstonferris.com holding itself out as a “commercial real estate lending company” and a “direct commercial real estate lender.”

4. Alston Ferris has offered a commercial loan on a multi-unit apartment building to at least one California resident.

5. On that occasion, Alston Ferris made a loan commitment to the California resident contingent on, inter alia, an “independent environmental assessment” and a “site and valuation report.”

1 6. Jeff Kaye, acting on behalf of Alston Ferris, required that the borrower send \$4325.00 to
2 an entity called Eastern Realty Corporation for the purpose of obtaining the above-mentioned
3 independent environmental assessment and site and valuation report.

4 7. After the borrower submitted payment for this purpose to Eastern Realty Corporation, the
5 borrower was advised by Jeff Kaye that the loan was being turned down by Alston Ferris because the
6 valuation was too low. Despite repeated requests, Kaye and Alston Ferris refused to provide copies
7 of the environmental report or the site and valuation report to the borrower, and refused to refund the
8 money paid by the borrower for those reports.

9 8. Alston Ferris has not been issued a license by the Commissioner authorizing it to engage in
10 the business of a finance lender and/or broker under the California Finance Lenders Law. Alston
11 Ferris is not exempt from the licensing requirements of California Financial Code section 22100.

12 Pursuant to California Financial Code section 22712, Alston Ferris Capital Partners, LLC and
13 Jeff Kaye are ordered to desist and refrain from engaging in the business of a finance lender and/or
14 broker in the State of California without first obtaining a license from the Commissioner, or
15 otherwise being exempt.

16 This Order is necessary, in the public interest, for the protection of consumers, and is
17 consistent with the purposes, policies, and provisions of the California Finance Lenders Law. This
18 order shall remain in full force and effect until further order of the Commissioner.

19 Dated: August 30, 2011
20 Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

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22 By _____
23 ALAN S. WEINGER
24 Deputy Commissioner
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