

REAL ESTATE BULLETIN

Arnold Schwarzenegger, Governor Dale Bonner, Secretary, Business, Transportation, & Housing Agency Jeff Davi, Real Estate Commissioner

www.dre.ca.gov

Department of Real Estate

Summer 2009

Loan Modification Fraud

f you have listened to the radio, watched television, or opened your mail within the last six months, you probably have been solicited for a loan modification. There have been a multitude of companies springing up throughout the state (and the nation), claiming to be experts and able to assist consumers in solving their home loan problems through negotiating a loan modification. With so many companies jumping into the loan modification market, have you ever wondered what the success rate is for many of these companies or, for that matter, whether these entities are even operating legally? Unfortunately, there is an old saying that applies to most of these companies: 'If it sounds too good to be true, it probably is'.

While there are some real estate brokers and attorneys engaged in the business of loan modification who perform valid services, the DRE's experience has been that many of the companies are simply skimming advance fees, usually in amounts of \$3000 or \$4000, collected from consumers who are desperate to save their homes, and ultimately deliver no service. In some cases, the companies are licensed real estate brokers who are not operating lawfully



Commissioner's Message: Challenging Times Create Once In A Lifetime Opportunities

Veryone is talking about the real estate market. Everyone is talking about the economy. Although the current downturn is worse than most of us

can remember, we all need to understand the ebb and flow of the real estate market and economy is just part of a natural cycle. While it may feel like the current downward spiral is never going to end, don't let those concerns consume you. Rest assured, the market and economy will bounce back. In the meantime, the current environment has created exciting opportunities!

Yes, opportunities! Even in times like today, the real estate market is rich with opportunities for agents, investors, buyers and first time buyers. It has been over a decade since we have seen the housing affordability index in California so favorable. Consumers with good credit, whether a first time home buyer, someone looking for a second home, or an investor, can take advantage of home loan rates that are lower than any time in recent memory. With inventory up, it's time to go shopping! But, successful transactions these days take effort and know-how.

Over 50 percent of the sales involve foreclosures (REOs). In some counties, over 80% of the sales involve short sales or REOs. These transactions differ substantially from traditional sales. As with any market shift, those who survive and prosper are the ones who re-tool, make the adjustment, and focus on the nuances of change to capitalize on the opportunity a market shift creates.

Instead of being critical of where we are and how things have happened, I would encourage you to embrace the current market conditions, and retool so that you can be the best advocate for your client and achieve your client's goals. The agents that do this will find, in today's market, that not only one can survive, but one can succeed!

by obtaining the prerequisite "no objection" letter from the DRE for their advance fee agreement, and are not handling the fees collected in accordance with the trust fund record keeping requirements. But, in more cases than not, these so called loan modification companies are unlicensed. There have been documented cases where these companies have collected in excess

Continued on page 8

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STATE OF CALIFORNIA Arnold Schwarzenegger, *Governor*

BUSINESS, TRANSPORTATION AND HOUSING AGENCY Dale Bonner, Secretary DEPARTMENT OF REAL ESTATE Jeff Davi, Commissioner

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CALIFORNIA RELAY TELEPHONE SERVICE

(For the deaf and hearing impaired)

(For the deal and hearing impaired)	
From TDD phone	1-800-735-2929
From voice phone	1-800-735-2922

Are you collecting an advance fee?...more to know

In this difficult economic climate, more homeowners are facing foreclosure and the possibility of losing their homes. The anxiety and desperation of homeowners who are struggling to make their loan payments may lead them to turn to real estate brokers who offer loan modification services. Homeowners are hopeful that a real estate broker can use their expertise to help them modify their existing loan by either making their monthly payments more affordable or by preventing their current payments from increasing to an unaffordable amount.

The 2008 and 2009 Real Estate Bulletins, as well as the past two Mortgage Loan Bulletins, discussed the subject of loan modifications and advance fees. The DRE has received many submissions of advance fee materials from real estate brokers who want to offer loan modification services and also want to collect an advance fee or an upfront fee as compensation for their services. Before a real estate broker can collect an advance fee, the broker must comply with §10085 of the California Business and Professions Code (B&P) and Commissioner's Regulation 2970. A real estate broker must submit their advance fee materials to the DRE for review. The materials include an advance fee agreement, accounting format, and any advertising or promotional materials. If DRE issues a "no objection" letter, the broker, under the terms applicable, is allowed to collect an advance fee from a client to perform a real estate service.

A real estate broker has a responsibility to follow specific requirements when collecting trust funds in the form of an advance fee. A real estate broker is required to follow the requirements of B&P §10145 and Commissioner's Regulations 2831, 2832, 2834, and 2835 any time trust funds are collected. A properly designated trust account in the name of the broker must be used and exact record keeping requirements must be followed. However, when an advance fee is collected, there are additional requirements a real estate broker must adhere to besides the listed code sections above.

Advance fees must also be handled accordingly as described in B&P §10146. This code section states "Any real estate broker who contracts for or collects an advance fee from any other person, hereinafter referred to as the "principal," shall deposit any such amount or amounts, when collected in a trust account with a bank or other recognized depository. Such funds are trust funds and not the funds of the agent. Amounts may be withdrawn for

Continued on page 10

The *REAL ESTATE BULLETIN* (ISSN 07347839) is published quarterly by the State of California, Department of Real Estate, 2201 Broadway, Sacramento, CA 95818, as an educational service to all real estate licensees in the state under the provisions of Section 10083 of the Business and Professions Code.

SAFE mortgage licensing act

Title V – The Secure and Fair Enforcement Mortgage Licensing Act (SAFE Act) of the Housing and Economic Recovery Act of 2008 was signed into law on July 30, 2008 to enhance consumer protection and reduce fraud in mortgage loan transactions. It requires all 50 states and 5 territories to put into place a system for licensing mortgage loan originators that meets the minimum requirements of the SAFE Act. The Conference of State Bank Supervisors (CSBS) and the American Association of Residential Mortgage Regulators (AARMR) have created, and will maintain, the Nationwide Mortgage Licensing System and Registry (NMLS&R) to streamline the licensing process with oversight by HUD. In addition be in addition to the real estate salesperson or broker examination. Each mortgage loan originator applicant will be required to provide a set of fingerprints directly to NMLS&R in order to obtain criminal background histories through the FBI. The applicant also must authorize NMLS&R to obtain an independent credit report from a consumer reporting agency. The SAFE Act also mandates mortgage call reports, reporting of enforcement actions and certain public access to licensing information. When registering with NMLS&R each person will be issued a unique identifier. This unique identifier will not replace the real estate license identification number but will allow information to be shared among states in the event

to state requirements, NMLS&R will contain a single license record for each mortgage loan lender, broker, branch and mortgage loan originator which can be used to apply for, amend and renew a license participating in any jurisdiction. Three bills have been introduced California the in legislature to implement the SAFE Act in California - Senate Bill 36 (Calderon), Senate

36 (Calderon), Senate Bill 491 (Maldonado) and Assembly Bill 34 (Nava). The SAFE Act licensing system will be implemented in California once legislation has become effective, most likely in mid-to-late 2010. Information on these bills can be obtained at <u>www.leginfo.ca.gov</u>.

What does the SAFE Act require?

The SAFE Act mandates that each person performing business activities that fit the definition of a mortgage loan originator meet certain minimum pre-licensing and continuing education requirements in order to be licensed as a loan originator in any state. In addition to existing state requirements, each person must also take and pass a test consisting of a national component and a state loan origination component. Those tests are currently being developed and will of complaints and/or disciplinary actions.

The Department of Real Estate anticipates that an "endorsement" would be added to a real estate licensee's broker or salesperson license those persons for engaging in mortgage loan activities. Each mortgage loan originator would hold a California real estate license plus the "endorsement". The endorsement will be

renewed annually while the real estate license will remain on a four-year renewal cycle. The Department of Corporations is also working to implement a licensing system that is compliant with SAFE, for all mortgage loan originators under the California Finance Lenders Licensing Law (CFL) and California Residential Mortgage Loan Act (Mortgage Bankers).

DRE has been working with CSBS and AARMR on a number of issues that would affect current and future licensees, such as pre-licensing education, testing, and continuing education requirements. There will be more information, provided as it emerges, in future Real Estate Bulletins and on the DRE Web site. Additionally, information on the SAFE Act and NMLS&R can be obtained at www.stateregulatoryregistry.org/NMLS and at www.csbs.org.



Disciplinary Action: December 08 - February 09

- > A list of actions is not published in this Bulletin until the 30-day period allowed for court appeal has expired, or if an appeal is filed and the disciplinary action is stayed, until the stay is dissolved. Names of persons to whom licenses are denied on application are not published.
- \triangleright Licensees are listed alphabetically by the District Office region of responsibility.
- The license type is listed in parentheses after the licensee's \geq name. [REB - Real estate broker; RREB - Restricted real estate broker; RES – Real estate salesperson; RRES – Restricted real estate salesperson; PRLS – Prepaid rental listing service;

RPRLS - Restricted prepaid rental listing service; REO - Real estate officer; REC - Real estate corporation]

 \triangleright Below are brief summaries of various regulations and code sections. The full text of the sections is available on the DRE Web site www.dre.ca.gov under Real Estate Law and/or Regulations.



≻ Disciplinary actions that are "stayed" means there is "a delay in carrying out" all or part of the recommended discipline.

Procuring a real estate license by misrepresentation or material

10177(a)

Commissioner's Regulations

2715	Licensee's failure to maintain current business or mailing address with DRE
2725	Failure of broker to exercise reasonable supervision over the
	activities of his or her salespersons
2731	Unauthorized use of fictitious business name
2742(c)	Failure of corporation to be in good standing
2752	Broker's failure to notify DRE of salesperson employment
2831	Failure to keep proper trust fund records
2831(a)	Failure to keep proper trust fund records
2831.1	Inadequate separate trust fund beneficiary records
2831.2	Failure to reconcile trust account
2832	Failure to comply with trust fund handling provisions
2832(a)	Failure of broker to place trust funds into hands of owner, into
	neutral escrow depository or trust fund account within three
	business days of receipt
2832.1	Failure to obtain permission to reduce trust fund balance in a
	multiple beneficiary account
2834	Trust account withdrawals by unauthorized or unbonded person
2835	Retention of broker funds in trust accounts
2847.3	Failure to disclose license status in advertising
2950(h)	Failure to disclose interest in the agency holding the escrow
2951	Improper record keeping for broker handled escrows
Business ar	nd Professions Code
490	Substantially related criminal conviction
490	License obtained by fraud or misrepresentation
10130	Acting without license
10130	Salesperson working without a broker
10132	1 0
10137	Unlawful employment or payment of compensation Trust fund handling
	*
10145(c) 10148	Failure by salesperson to deliver funds to broker Failure to retain records and make available for inspection
10148	Failure by designated officer to supervise licensed acts of
10139.2	corporation
10160	Failure to maintain salesperson licenses in possession of
10100	broker
10161.8	Failure of broker to notify Commissioner of salesperson
10101.8	employment
10162	Failure to maintain a place of business
10162	Failure to comply with specified B&P code sections
10105 10176(a)	Making any substantial misrepresentation
10176(b)	Making false promise
10176(c)	Continued & flagrant course of misrepresentations through
	salespersons
10176(d)	Failure to disclose dual agency
10176(e)	Commingling trust funds with brokers funds
10176(f)	Exclusive listing agreements without definite termination date
10176(g)	Secret profit or undisclosed compensation
10176(h)	Secret profit under option agreement
10176(i)	Fraud or dishonest dealing in licensed capacity

10177(a)	false statement			
10177(b)	Conviction of crime			
10177(c)	False advertisement			
10177(d)	Violation of real estate law or regulations			
10177(e)	Willfully using term "Realtor" or any trade name or insignia of			
	membership in any real estate organization of which licensee is not a member			
10177(f)	Conduct that would have warranted denial of a license			
10177(g)	Negligence or incompetence in performing licensed acts			
10177(h)	Failure to supervise salespersons or licensed acts of corporation			
10177(i)	Improper use of governmental employment giving access to confidential records			
10177(j)	Fraud or dishonest dealing as principal			
10177(k)	Violation of restricted license condition			
10177.5	Civil fraud judgment based on licensed acts			
10231.1	Retaining lender's funds for more than 25 days without a written agreement with the lender			
10235	False advertising in mortgage lending activities			
10235.5	Lender purchaser disclosure violation			
10236.4	Failure to include license number or DRE license telephone number in documents			
10238(k)(2)	Failure to properly disburse trust funds			
10240	Failure to provide mortgage loan disclosure statement			
10241	Improper mortgage loan disclosure statement			
Financial C	ode			
4973(b)(1)	Violation of covered loan prohibitions regarding negative amortization & installment payment totals			
4973(k)(1)	Failure to provide covered loan consumer notice			
4975 et seq.	Violation of covered loan requirements			
	Violation: 10145(c), 10176(a)(e) (i), 10177(d)			
	Creech, Willis Lavone Jr. (RES)			
	or contracting the state of the			

FRESNO REGION

- 21st Century Financial Resources, Inc. (REC) 1305 Vine St., Paso Robles Effective: 2/3/09Violation: 2832(a), 2832.1, 10145, 10162, 10165, 10176(a)(b)(c)(i), 10177(d)(g)(j)
- Anderson, Ryan Christopher (RES) 2344 W. Forest Ct., Porterville Effective: 1/7/09 Violation: 490, 10177(b)
- Athey, James Craig (RES) 2012 Fairmont, Hanford Effective: 1/6/09

- 3713 Columbine Dr., Modesto Effective: 12/26/08 490, 10177(b) Violation:
- Cycon, Michael Richard (REB) 3661 N. Parkway Dr., Fresno Effective: 1/8/09 Violation: 490, 10177(b)
- Gregory, Amy Kathryn (RES) 25101 Bear Valley Rd. #326, Tehachapi 1/9/09 Effective: Violation: 490, 10177(b)

Kennedy, Linda Ann (REB) 700 Blackburn, Templeton Effective: 2/3/09 10159.2, 10176(a)(b)(c) Violation: (i), 10177(d)(g)(h)(j)

Nieto, Joe (RES) 2901 N. Dayton Ct., Visalia Effective: 12/23/08 Violation: 490, 10177(b)

Rozzi, Rebecca L. (RES) 934 Angelus Way, Del Rey Oaks Effective: 2/2/09 Violation: 490, 10177(b)

Sanford, Jeanne Stella (RES) 5844 W. Hillsdale Ave., Visalia Effective: 12/30/08 Violation: 490, 10177(b)

LOS ANGELES REGION

Acosta, Tania J. (RES) 1901 Avenue of the Stars, Ste. 1455, Century City Effective: 12/4/08 Violation: 490, 10177(b)

Alvarado, Jose (RES) 6258 Redbird Dr., Pico Rivera *Effective:* 1/12/09 *Violation:* 10177.5

Alvarez, Jorge Armando (RES) 12204 Moline Dr., Whittier Effective: 1/27/09 Violation: 490, 10177(b)

Austin, Krista Rae (RES) 432 Santa Maria, Irvine Effective: 12/22/08 Violation: 490, 10177(b)

Bowdry, Gizelle Maria (RES) 16462 Kalo Rd. #6, Apple Valley Effective: 2/26/09 Violation: 490, 10177(b)

Brown, Sandra Marie (RES) PO Box 6944, Kingman, AZ Effective: 1/8/09 Violation: 490, 10177(b)

Camino Real Financial, Inc. (REC) 13710 E. Whittier Blvd. #102, Whittier Effective: 2/6/09 Violation: 2832(a), 10145, 10177(d)

Casillas, Frank S. (REB) 13104 E. Philadelphia St. #212, Whittier Effective: 12/2/08 Violation: 490, 10177(b)

Chacon, Lisa Renee (RES) 12323 Semora Pl., Cerritos Effective: 2/25/09 Violation: 490, 10177(b)

Evans, Sarita Eunique (RES) 312 West 5th St., #414, Los Angeles *Effective:* 1/7/09 *Violation:* 490, 10177(b)

Frankel, Margaret (RES) 15233 Magnolia Blvd., Unit 302, Sherman Oaks Effective: 1/6/09 Violation: 490, 498, 10177(a)(b)

Gastineau, James (RES) 4924 Agnes St., Valley Village Effective: 2/25/09 Violation: 490, 10177(b)

Hajati, Amir (RES) 25 Foxglove Way, Irvine *Effective:* 2/4/09 *Violation:* 490, 10177(b) Ho, Phuong Tan (RES) 10752 Chapman Ave., Garden Grove *Effective:* 1/27/09 *Violation:* 490, 10177(b)

Holman, Mark Jeffrey (RES) PO Box 3764, Santa Barbara *Effective:* 2/19/09 *Violation:* 490, 10177(b)

Honens, William David (RES) 27351 Silver Creek Rd., San Juan Capistrano *Effective:* 2/25/09 *Violation:* 10177(k)

Jerez, Yaneth A. (RES) 5628 Andover Way, Chino Hills Effective: 2/23/09 Violation: 490, 10177(b)

Kennedy, Izabon Michelle (RES) PO Box 724, Hermosa Beach Effective: 2/18/09 Violation: 490, 10177(b)

Khouri, Riad J. (RES) 4285 North F St., San Bernardino *Effective:* 1/27/09 *Violation:* 490, 10177(b)

Mahesh, Mahendra (REB) 1323 W. Covina Parkway, Ste. A, West Covina Effective: 1/28/09 Violation: 490, 10177(b)

Mauro, Frances Marie (RES) 61 Via Barcelona, Rancho Santa Margarita *Effective:* 12/31/08 *Violation:* 490, 10177(b)

Meono, Daisy Mae (REB) 1764 Mulberry Ave., Upland *Effective:* 12/15/08 *Violation:* 490, 10177(b)

Montoya, Daniel Joseph (RES) 937 East 33rd St., Long Beach *Effective:* 12/11/08 *Violation:* 490, 10177(b)

Mooney, Kara Elizabeth (RES) 3608 Laurel Ave., Manhattan Beach *Effective:* 2/19/09 *Violation:* 10177(k)

Ortega, Joseph David (RES) 17046 Devonshire St., Northridge Effective: 2/25/09 Violation: 490, 10177(b)

Peterson, Jun (RES) 400 E. Broadway #D, San Gabriel *Effective:* 2/9/09 *Violation:* 490, 10177(b)

Petrisca, George Daniel (REB) 17106 Raymer St., Northridge *Effective:* 12/1/08 *Violation:* 490, 10177(b)

Pichardo, Felix O. (RES) 711 W. Lancaster Blvd., Lancaster *Effective:* 12/11/08 *Violation:* 490, 10177(b)(k)

Preferred Mortgage, Inc. (REC) 2300 W. Beverly Blvd. #204, Montebello *Effective:* 12/31/08 *Violation:* 10130, 10177(d)(f)(j)

Pyun, Keith Joong (RES) 5081 Shirley Dr., La Palma *Effective:* 12/22/08 *Violation:* 490, 10177(b)

Renteria, Joe (RES) 10121 Whitaker Ave., North Hills Effective: 1/29/09 Violation: 490, 10177(b)

Roberts, Robert John (REB) 118 Marshall Ct., San Dimas Effective: 12/22/08 Violation: 490, 10177(b)

Rodriguez, Richard L. (RES) 17542 Dove Willow, Canyon Country Effective: 1/27/09 Violation: 490, 498, 10177(a)(b)

Sanders, Keith (RES) PO Box 7532, Long Beach Effective: 1/27/09 Violation: 490, 10177(b)

Sears, Steven (REB) 18 Truman, Irvine Effective: 12/15/08 Violation: 490, 10177(b)

Shahkarami, Arbi (RES) 427 W. Glenoaks Blvd. #2, Glendale *Effective:* 12/1/08 *Violation:* 490, 10177(b)

Thompson, Harding Lavell (REB, REO) 13907 Van Ness Ave., Gardena Effective: 2/9/09 Officer of: W. James Washington Ent. Violation: 10177(h)

Urquidi, Amanda Eloise (RES) 955 W. Foothill Blvd., Arcadia Effective: 12/11/08 Violation: 490, 10177(b)

Vota, Tom (RES) 1731 Mitchell Ave. #19, Tustin Effective: 1/8/09 Violation: 490, 10177(b)(k)

OAKLAND REGION

Alexander, Brian Norman (RES) 6081 Larchmont Dr., San Jose *Effective:* 12/26/08 *Violation:* 490, 10177(b)

Behnam, Angela Bahar (RES) 14245 Lora Dr. #7, Los Gatos *Effective:* 12/3/08 *Violation:* 490, 10177(b)

Burnias, Eddie (RES) 2830 Autumn Estates Ct., San Jose *Effective:* 1/9/09 *Violation:* 490, 10177(b)

Cape, Victor Lim (RES) 433 Westmoor Ave., Daly City Effective: 12/31/08 Violation: 490, 10177(b)

Carr, Ian Michael (RES) 3844 Brunnell Dr., Oakland *Effective:* 1/20/09 *Violation:* 490, 10177(b)

Castaneda, Gustavo Froylan (RES) 1700 Alder Creek Ct., San Jose *Effective:* 1/8/09 *Violation:* 490, 10177(b)

Cheung, Ricky (RES) 345 A Gellert Blvd., Daly City Effective: 2/3/09

Violation: 490, 10177(b)

Clark, Dean Albert (REB) 405 El Camino Real #418, Menlo Park *Effective:* 2/11/09 *Violation:* 10148, 10165, 10177(d), 10177.5

Clark, Mike J. (RES) 7531 Rafanelli Ln. Windsor Effective: 1/8/09 Violation: 490, 10177(b)

Crawford, Kelly R. (RES) 100 Mozden Ln. Pleasant Hill *Effective:* 2/19/09 *Violation:* 490, 10177(b)

Garcia, Milagros S. (REB) 500 Alfred Noble Dr., Ste. S-118, Hercules *Effective:* 12/26/08 *Violation:* 2831(a)(6), 2831.1, 2832, 2835, 10145, 10159.2, 10176(a)(e) (i), 10177(d)(g)(h), 10240, 10241

Glover, Joseph M. (RES) 252 South 16th, Richmond *Effective:* 12/11/08 *Violation:* 10177(f)(g)

Gonzalez, Moises (RES) 3080 Landess Ave., San Jose *Effective:* 2/3/09 *Violation:* 490, 10177(b)

Hartwell, Kit Rudkin (RES) 8165 Whited Rd., Sebastopol Effective: 1/9/09 Violation: 490, 10177(b)

Hawari, Hamam Paul (REB) 4751 Calle De Lucia, San Jose *Effective:* 2/9/09 *Violation:* 490, 10177(b)

Henderson, Frederick Lee Jr. (RES) 2240 Blake St. #105, Berkeley *Effective:* 12/30/08 *Violation:* 490, 10177(b)

Hernandez, Joan Astrande (RES) 1168 Brace Ave, San Jose Effective: 1/29/09 Violation: 490, 10177(b)

Hill, Clarissa (RES) 1757 Hillsdale Ave., San Jose Effective: 12/24/08 Violation: 490, 10177(b)

Home Equity Group, Inc. (REC) 500 Alfred Noble Dr., Ste. S-118, Hercules *Effective:* 12/26/08 *Violation:* 2831(a)(6), 2831.1, 2832, 2835, 10145, 10159.2, 10176(a)(e) (i), 10177(d)(g)(h), 10240, 10241

Johnson, Temisha Nicol (RES) PO Box 17, Santa Rosa Effective: 1/28/09 Violation: 490, 10177(b)

Kim, Hyong Chul (RES) 5237 Springdale Ave., Pleasanton *Effective:* 2/3/09 *Violation:* 490, 10177(b)

Lakami Professional Services, Inc. (REC)

 1850 South 10th St., San Jose

 Effective:
 2/18/09

 Violation:
 10130, 10137, 10177(d)(g)(h)

Lal, Ajit (RES) 1307 Camellia Dr., Palo Alto Effective: 2/3/09 Violation: 490, 10177(b)

Le, Kiet V. (REB) 2259 Devon Pl., Milpitas *Effective:* 1/28/09 *Violation:* 490, 10177(b)

Leslie, Jessica Denise (REB) 1127 Linden St., Ste. 3, Oakland Effective: 2/19/09 Violation: 490, 10177(b)

Lomba, Gregory Wayne (RES) 3000 Citrus Cir., Walnut Creek Effective: 12/31/08 Violation: 490, 10177(b)

Lorenzo, Yolanda (RES) PO Box 24743, Oakland Effective: 12/26/08 Violation: 2831(a)(6), 2831.1, 2832, 2835, 10145, 10159.2, 10176(a)(e) (i), 10177(d)(g)(h), 10240, 10241

Matin, Mahmood (RES) 263 Kerry Common, Fremont *Effective:* 12/24/08 *Violation:* 490, 10177(b)

Molina, Rafael Sr. (RES) 2465 Winchester Blvd., Campbell *Effective:* 1/12/09 *Violation:* 490, 10177(b)

Montgomery, Letitia Renee (RES) 6617 Simson St., Oakland Effective: 2/3/09 Violation: 490, 10177(b)

Nguyen, Cindy (RES) PO Box 361000, Milpitas Effective: 2/18/09 Violation: 10130, 10132, 10177(d)

Nguyen, Thanh Ngoc (REB) 1851 McCarthy Blvd., Ste. 202A, Milpitas Effective: 12/23/08 Violation: 10148, 10177(d)(f)

O'Brien, Michael Wade (REB) PO Box 1361, Palo Alto Effective: 12/26/08 Violation: 2831, 2831.1, 2831.2, 2832, 10130, 10145, 10148, 10177(d)

Pacheco Cazarez, Felipe Jesus (RES) 3069 Monroe St., Santa Clara *Effective:* 12/23/08 *Violation:* 490, 10177(b)

Pastor, Jesse Emmanuel (RES) 2272 Quimby Rd., San Jose Effective: 12/31/08 Violation: 490, 10177(b)

Powers, Bruce T. (RES) 26586 Call Ave., Hayward *Effective:* 1/29/09 *Violation:* 490, 10177(b)

Rasuli, Rasul (RES) 43130 Osgood Rd., Fremont Effective: 12/2/08 Violation: 490, 10177(b) Rincon, Raul P. (RES) 895 Whitethorne Dr., San Jose *Effective:* 12/26/08 *Violation:* 490, 10177(b) Saltarelli, Larry Louis (RES)

PO Box 1058, Los Gatos *Effective:* 2/3/09 *Violation:* 490, 10177(b) **Tafzil, Samuel Alexander (REB)** 6332 Mountford Dr., San Jose

Effective: 12/26/08 *Violation:* 490, 10177(b) **Talebi, Ehsan (RES)**

11600 Putter Way, Los Altos Effective: 2/9/09 Violation: 490, 10177(b)

Tanchick, Fola Kastner (RES) 939 Villa Ave. #5, San Jose Effective: 12/23/08 Violation: 490, 10177(b)

Tran, Nicole V. (RES) 1385 Lucretia Ave. #3307, San Jose *Effective:* 1/29/09 *Violation:* 490, 10177(b)

Upshaw, Tikisha Marie (RES) 2885 Richard Ct., Concord Effective: 2/2/09 Violation: 490, 10177(b)

Westphal, Karen Marie (RES) 81 Brevensville Dr., San Ramon *Effective:* 12/26/08 *Violation:* 490, 10177(b)

Williams Laus, Elizabeth R. (RES) 148 Beth Dr., Pleasant Hill *Effective:* 2/2/09 *Violation:* 490, 10177(b)

Ybanez, Reynaldo Relucio (RES) 832 Foxworthy Ave., San Jose *Effective:* 1/9/09 *Violation:* 490, 10177(b)

Zollinger, Ann (REB) PO Box 1675, Glen Ellen Effective: 12/9/08 Violation: 490, 10177(b)

SACRAMENTO REGION

Besson, Paul Alexander (REB) 2511 Connie Dr., Sacramento Effective: 12/24/08 Violation: 490, 10177(b)

Fanucchi, Katherine Elise (RES) 37061 Sapphire Rd., Burney *Effective:* 1/30/09 *Violation:* 10177(b)

Fidelity Capital Lending, Inc. (REC) 12401 Folsom Blvd., Ste. 312, Rancho Cordova *Effective:* 2/18/09 *Violation:* 10130, 10131(d), 10137, 10177(d)(g)(h)

Flores, Guillermo (RES) 2543 Merchant Dr., Tracy Effective: 2/19/09 Violation: 490, 10177(b)

Grove, Rebecca Lynn (RES) 1218 Johnson Ave., Marysville Effective: 12/26/08 Violation: 490, 10177(b)

Heredia, Shannon Marie (RES) 915 Brookfield Ave., Lathrop *Effective:* 1/20/09 *Violation:* 490, 10177(b) Kerr, Darren Wilson (REB)

175 Industrial Way, Ste. 101, Benicia *Effective:* 2/4/09 *Violation:* 490, 10177(b)

Nguyen, Thomason (RES) 5301 Sage Ct., Stockton Effective: 1/29/09 Violation: 490, 10177(b)

Portillo, Anthony Robert (REB) 12401 Folsom Blvd., Ste. 312, Rancho Cordova *Effective:* 2/18/09 *Violation:* 10130, 10131(d), 10137, 10159.2, 10177(d)(g)(h)

Robles, Fernando (RES) 5101 Dana Way, Sacramento Effective: 12/26/08 Violation: 490, 10177(b)

Scrima, George J. (RES) 5120 Oak Shade Way, Fair Oaks Effective: 2/5/09 Violation: 490, 10177(b)

Skerik, Jason Lee (RES) PO Box 531, Lotus Effective: 2/11/09 Violation: 490, 10177(b)

Spruell, Vincent Lloyd (RES) 853 Longfellow St., Tracy *Effective:* 12/26/08 *Violation:* 490, 10177(b)

Strecker, Felicia Leann (RES) PO Box 1586, Quincy Effective: 12/26/08 Violation: 490, 10177(b)

Travassos, Richard Henry II (RES) 6481 Brook Hollow Cir., Stockton *Effective:* 1/28/09 *Violation:* 490, 10177(b)

Van Note, Betty Jean (RES) 10761 Bartlett Dr., Grass Valley *Effective:* 12/11/08 *Violation:* 490, 10177(b) Wilson. Arthur Theodore (RES)

3441 Halfway Ave., McKinleyville *Effective:* 12/31/08 *Violation:* 490, 10177(b)

SAN DIEGO REGION

American Heritage Financial Services, Inc. (REC) 6625 Nancy Ridge Dr., Ste. B, San Diego *Effective:* 12/26/08 *Violation:* 273, 2831, 2831.2, 2832.1, 2834, 2950(h), 2951, 10236.4, 10145, 10148, 10176(g), 10177(d), 10240, 10241

Bohlman, Cheryl Lynne (REB) 1286 University Ave. #167, San Diego *Effective:* 2/3/09 *Violation:* 490, 10177(b)

Braun, Riley Dean (RES) 1285 Highbluff, San Marcos *Effective:* 2/19/09 *Violation:* 490, 10177(b) Cook, Douglas Rudy (RES) 41623 Erin Dr., Hemet *Effective:* 12/11/08 *Violation:* 490, 10177(b) Demontano, Louie L. (RES)

PO Box 7534, Norco Effective: 12/22/08 Violation: 490, 10177(b) Dudek, Leonard Jerome (RES)

281 Fraxinella Rd., Encinitas Effective: 1/9/09 Violation: 490, 10177(b)

Frank, Jason Daniel (RES) PO Box 9000, Rancho Santa Fe *Effective:* 1/29/09 *Violation:* 490, 10177(b)

Heritage Financial Bancorp (REC) 9039 Bolsa Ave., Ste. 312, Westminster *Effective:* 12/5/08 *Violation:* 2715, 2731, 2831, 2831.1, 2832(a), 2847.3, 10145, 10161.8, 10163, 10176(g), 10177(d) (g), 10235.5, 10240

Lacayo, Alma T. (RES) 916 Westport Ln., Vista Effective: 2/25/09 Violation: 490, 10177(b)

Lopez, Alexander-Javier Chavez (REB) 295 S. Rancho Santa Fe Rd., San Marcos *Effective:* 12/30/08 *Violation:* 490, 10177(b)

Miller, Jacob J. (REB) 410 S. Santa Fe Ave., Ste. 103, Vista *Effective:* 12/31/08 *Violation:* 490, 10177(b)

Santostefano, Mark A. (RES) 24510 Country Rd., Moreno Valley *Effective:* 12/22/08 *Violation:* 490, 10177(b)

Tovar, Ronald Hernandez (RES) 3858 Sienna Ln., Corona *Effective:* 12/22/08 *Violation:* 490, 10177(b)(k)

REVOKED WITH RIGHT TO A RESTRICTED LICENSE

LOS ANGELES REGION

Adi, Henry Hanania (RES) 15523 Doty Ave., Lawndale *Effective:* 1/22/09 *Violation:* 490, 10177(b) Right to RRES license on terms and conditions

Chang, Melody (RES) 19940 Ridge Estate Ct., Walnut *Effective:* 1/7/09 *Violation:* 490, 10177(b) Right to RRES license on terms and conditions

De La Torre, Armando Daniel (RES) 305 N. Soto St., Ste. D, Los Angeles Effective: 2/2/0910177(d)(g)(j) Violation: Right to RRES license on terms and conditions

Degenhart, William Jarrell (RES)

1410 N. Ardmore Ave., Manhattan Beach Effective: 1/26/09 490, 10177(b) Violation: Right toRRES license on terms and conditions

Holler, Everett R. (REB)

23018 Minnetonka Rd., Apple Valley 12/26/08 Effective: Violation: 490, 10177(b) Right to RRES license on terms and conditions

Lopez, Yvette Barbara (RES)

1412 Mildine Dr., Glendale Effective: 12/24/08 Violation: 490, 10177(b) Right to RRES license on terms and conditions

Salas, David (RES)

133 S. Yorba St., Orange Effective: 1/7/09 Violation: 490, 10177(b) Right to RRES license on terms and conditions

Singh Sidhu, Shamsher (REB)

22148 Sherman Way, Ste. 204, Canoga Park Effective: 1/28/09 Violation: 10176(a), 10177(g) Right to RRES license on terms and conditions. Restricted license suspended for 60 days.

Vachani, Mark Amar (REB)

3901 Parkview Ln., Apt. 20A, Irvine Effective: 1/13/09 490, 10177(b) Violation: Right to RREB license on terms and conditions

Wolf, Alexander (RES)

3810 Tiffany Ct., Agoura Hills Effective: 12/9/08 Violation: 490, 10177(b) Right to RRES license on terms and conditions

Zargaryan, Alina (REB)

1022 N. Myers St., Burbank Effective: 1/12/09 Violation: 490, 10177(b) Right to RRES license on terms and conditions

OAKLAND REGION

Campa, Corina (RES) 2899 Mayglen Ct., San Jose Effective: 2/18/09 10130, 10132, Violation: 10177(d)(j)

Chen, John (REB)

20100 Stevens Creek Blvd., Ste. 190, Cupertino 12/26/08 Effective: Violation. 10159.2, 10177(d)(g)(h) Right to RREB license on terms and conditions

Dinh, Joseph Hai (REB)

36 Harold Ave., Ste. B, San Jose Effective: 12/29/08 10130, 10137, Violation: 10159.2, 10177(d)(h) Right to RRES license on terms and conditions.Restricted license

suspended for 60 days Salomon, Mara (RES) 1090 Main St. #202,

Redwood City 1/22/09 Effective: 490, 10177(b) Violation: Right to RRES license on terms and conditions

SACRAMENTO REGION

Curtright, Elizabeth Ann (RES)

707 Angus Way, Vacaville Effective: 12/26/08 Violation: 10130, 10177(d) Right to RRES license on terms and conditions

Glenn, B. Charles (REB)

4804 Balsam Dr., Stockton Effective: 12/9/08 Violation: 10130, 10137, 10177(d)(g)(h) Right to RRES license on terms and conditions

SAN DIEGO REGION

Holbrook, Daniel Robert (REB) 2928 Jefferson St. #2A, Carlsbad Effective: 2/5/09 *Violation:* 10159.2, 10177(h) Right to RRES license on terms and conditions

Jacobson, Lance Eric (REB)

1512 Galveston St., San Diego Effective: 2/5/09 490, 10177(b) Violation: Right to RRES license on terms and conditions

Moore, Jimmy Douglas Jr. (RES) 31805 Hwy 79 South Ste. 225, Temecula Effective: 1/7/09 *Violation:* 490, 10177(b) Right to RRES license on terms and conditions

Nejedly, Kevin Charles (RES) 7095 Indiana Ave., Ste. 100, Riverside Effective: 1/26/09 Violation: 490, 10177(b) Right to RRES license on terms

TM Associates, Inc. (REC)

and conditions

7708 Regents Rd., Ste. 1, San Diego Effective: 2/4/09 2742(c), 10177(d) Violation: Right to RREC license on terms and conditions

Troxel, Tony Raymond (REB)

7708 Regents Rd., Ste. 1, San Diego Effective: 2/4/09 2742(c), 10177(d) Violation: Right to RREB license on terms and conditions

SUSPENDED

LOS ANGELES REGION

De La Torre, Mario (REB) 305 N. Soto St., Ste. D, Los Angeles 2/2/09 Effective: Violation: 10137, 10177(d)(g) Suspended for 5 days

SUSPENDED WITH STAY

LOS ANGELES REGION

Bae, Dong Gi (RES) 2812 Hermosa Ave. #104, La Crescenta Effective: 2/10/09 Violation: 10176(j), 10177(g) Suspended for 60 days-stayed for 2 years on terms and conditions

Mendoza, Nacho M. (REB, REO)

13710 E. Whittier Blvd., #103, Whittier Effective: 2/6/09 Officer of: Camino Real Financial, Inc. Violation: 2832(a), 10145, 10159.2, 10177(d)(h) Suspended for 90 days-stayed for 2 years on terms and conditions

Rangel, Joseph J. (REB, REO) 15615 Alton Parkway, Ste. 450,

Irvine Effective: 1/12/09X-Prss Corp. Officer of: 2831, 2831.1, Violation: 10145(a), 10177(d), 10240 Suspended for 30 days- stayed

Westpac Financial Services, Inc. (REC) 3910 E. Coronado, Ste. I, Anaheim 12/24/08 Effective: 10177(f) Violation: Suspended for 30 days-stayed for one year on terms and

OAKLAND REGION

conditions

Carlos, Juanita (RES) 1485 Bay Tree Dr., Gilroy Effective: 12/26/08 Violation: 10177(g) Suspended for 45 days-stayed for 2 years on terms and conditions

Infoloan, Inc. (REC) 20100 Stevens Creek Blvd., Ste. 190, Cupertino Effective: 12/26/08 2752, 2831, 2831.1, Violation: 2831.2, 2832, 10130, 10137, 10145, 10160, 10161.8, 10176(a)(f) (g), 10177(d), 10240, 10236.4

Suspended for 180 days-stayed for 2 years on terms and conditions

Lapin, Sharon Lynn (REB)

1368 Lincoln Ave., Ste. 112, San Rafael 2/3/09 Effective: 10177(f) Violation: Suspended for 10 days-stayed for one year on terms and conditions

S&J Stadtler, Inc. (REC)

313 Sycamore Valley Rd. West, Danville Effective: 12/29/08 Violation: 10177.4 Suspended for 45 days-stayed for 2 years on terms and conditions

Stadtler, John G. (REB, REO)

313 Sycamore Valley Rd. West, Danville Effective: 12/29/08 S&J Stadtler, Inc. Officer of: Violation: 2725, 10159.2, 10177(d)(h) Suspended for 45 days-stayed for 2 years on terms and conditions

SAN DIEGO REGION

Coa, Hoa Xuan (REB, REO)

9039 Bolsa Ave., Ste. 311, Westminster Effective: 12/5/08 Officer of: Heritage Financial Bancorp 2715, 2731, 2831, Violation: 2831.1, 2832(a), 2847.3, 10145, 10159.2, 10163, 10176(g), 10177(d) (g)(h), 10235.5, 10240 Suspended for 60 days-30 days stayed for 2 years on terms and conditions Cruz, Jorge Ricardo (REB, REO) 3538 Central Ave., Ste. 1A,

Riverside 12/1/08Effective: Officer of: DE HDL, Inc. Violation. 2848(4)(5)(9), 10159.2, 10177(d)(h), 10235 Suspended for 60 days-stayed for one year on terms and conditions

LICENSE SURRENDER

(Licenses voluntarily surrendered per B&P Code §10100.2 during an administrative action/investigation)

FRESNO REGION

Capital One Investments, Inc. (REC) PO Box 1464, Carmel Effective: 1/20/09

Harper, Charles L. (REB) PO Box 1464, Carmel Effective: 1/20/09

Washington, Pamela Marie (RES) 1660 S. Bush, Fresno *Effective:* 1/7/09

LOS ANGELES REGION

Bohuslavizki, Andrew Joseph (REB) 6789 Quail Hill Pkwy. #226, Irvine Effective: 2/23/09

- Hilmer, Jeffrey A. (RES) 9637 Rio Grande St., Ventura *Effective:* 1/15/09
- Litvak, Irith Claire (RES) 3808 Winford Dr., Tarzana *Effective:* 2/9/09

Platinum Equity Financial (REC) 31531 Rancho Viejo Rd., Ste. 101, San Juan Capistrano *Effective:* 12/29/08

Rogers, Steven Brian (REB) 1312 Granada St., Upland *Effective:* 1/7/09

Steward, Allan Berlin (REB) 1257 W. Colton Ave., Redlands *Effective:* 1/27/09

X-Prss Corp. (REC) 27762 Antonio Pkwy., Ste. 335,

Loan Mod Fraud

of 1 million dollars a month with as little as a 2% success rate.

Over the past several months, loan modification fraud has been a high priority in terms of the DRE's enforcement efforts. Since November 2008, there have been Desist and Refrain Orders filed against 140 respondents and Accusations filed seeking disciplinary action against 29 real estate licensees. These numbers promise to increase dramatically over the next few months. In addition, the DRE has engaged the California State Bar to pursue cases where licensed attorneys are involved in dishonest practices, and a number of federal, state and local criminal law enforcement agencies to bring charges against the perpetrators of these advance fee schemes.

To fully respond to an epidemic of consumer fraud in the area of loan modifications, the DRE has mounted a three-pronged effort to combat the growing number of scams preying on unsuspecting homeowners. The first is to bring swift disciplinary action against real estate licensees and administrative action against unlicensed individuals who are operating unlawfully. The second is to reach out to other licensing agencies, such as the California State Bar, and to civil and criminal prosecutors to ensure that anyone who is

Ladera Ranch Effective: 1/12/09

OAKLAND REGION

Borlik, Craig Hunter (RES) 3812 Laguna Ave., Palo Alto *Effective:* 1/28/09

Dhillon, Tejinder (RES) 39120 Argonaut Way #526, Fremont *Effective:* 2/26/09

Hutchins, Jayme Renee (RES) PO Box 2311, Antioch Effective: 2/26/09

Ward, Necole Chantel (REB) 717 Scott St., San Francisco *Effective:* 2/18/09

SACRAMENTO REGION

American International Mortgage, Inc. (REC) 7484 Kanai Ave., Citrus Heights *Effective:* 12/3/08

Marsden, Michael Kenneth (REB) 7804 Watson Way, Citrus Heights *Effective:* 12/3/08 Straume, Lisa Andrea (RES) PO Box 2276, Rocklin Effective: 1/28/09

SAN DIEGO REGION

The Atvantage Group, Inc. (REC) 2928 Jefferson St. #2A, Carlsbad *Effective:* 2/5/09

Vega, Efrain Lopez (RES) 4505 Allstate Dr. #105, Riverside *Effective:* 1/28/09

PUBLIC REPROVAL

LOS ANGELES REGION

Marzullo, David Mark (REB) 27676 Sequoia Glen, Valencia Effective: 1/12/09 Violation: 10177(g)

INDEFINITE SUSPENSIONS

(under Recovery Acct provisions)

LOS ANGELES REGION

Beardslee, F M Jerri (REB) 3419 Via Lido, Newport Beach *Effective:* 1/07/09

Ellington, Clarence (REB) 6380 Wilshire Blvd., Ste. 1215, Los Angeles *Effective:* 2/09/09

FRESNO REGION

Louisa Katrina Dubinsky (REB) 303 Potrero St., Ste. 03, Santa Cruz Effective: 2/26/09

Vision Lending & Investments, Inc. (REC) 1840 41ST Ave., Ste. #102-305, Capitola *Effective:* 2/26/09

OAKLAND REGION

Beerbower, Albert (REB) 1055 W College Ave #290, Santa Rosa Effective: 2/23/09

Continued from page 1

taking unfair advantage of homeowners seeking to modify their home loans are prosecuted to the fullest extent of the law. The third part of the DRE's efforts is to educate consumers and real estate professionals to prevent the likelihood for scam artists to succeed. As part of this effort, DRE has launched and is expanding a public service announcement campaign to educate the public about loan modification scams and sources of legitimate help.

In the category of consumer education, DRE encourages real estate licensees, who are active in their local marketplaces, to help consumers to seek out legitimate loan modification services, including those that are available free of charge. There is an organization by the name of Hope Now (888) 995-4673 that will make referrals to counselors certified by the United States Department of Housing and Urban Development and who will provide free loan modification services to the consumer. Licensees should encourage consumers to deal only with real estate licensees who either do not collect advance fees, or are on record as having received a "no objection" letter from the DRE for their advance fee agreement, and one who has established a record of success.

Continued on page 12

Examination and license fees adjust on July 1, 2009

The past five years, the Department has maintained fees at the same levels as those charged in 1982. Despite having taken steps to achieve functional efficiencies and reduce expenditures, the Department must now adjust fees to fund its operational needs.

Effective July 1, 2009, the Department of Real Estate will implement fee changes which will adjust fees for the real estate license examination, original real estate license, and real estate license renewals.

The adjusted fees will be applied to all examination applications and original license applications submitted to DRE on or after July 1, 2009.

With respect to on-time renewal applications, the license expiration date determines the renewal fee charged. In this regard, licenses expiring before June 30, 2009, will be subject to the current fee as long as the renewal application is filed on-time. Licenses expiring on or after June 30, 2009, will have an effective renewal date of July 1, 2009, or later and will be subject to the new fee. All renewal applications filed on a late basis on or after July 1, 2009, will be subject to the new late renewal fee. The new fees are as follows:

Examinations Fees

	Salesperson	Broker
Original Examination	\$60	\$95
First Reschedule	\$15	\$20
Subsequent Reschedule	\$30	\$30
Re-Examination	\$60	\$95
Original License Fees	\$245	\$300
Combination Examination and License Application Fees		
Examination Fee	\$60	\$95
License Fee	\$245	\$300
<u>Renewal Fees</u>		
On-Time Renewal	\$245	\$300
Late Renewal	\$367	\$450

Corporation License Fees

Corporation License or additional broker/officer	\$300	
Corporation license late-renewal	\$450	

If you have questions regarding how the fee increase may affect your examination or license application, contact the Licensing Section toll free at (877) 373-4542.



More On Advance Fees

Continued from page 2

the benefit of the agent only when actually expended for the benefit of the principal or five days after the verified accounts mentioned hereinafter have been mailed the principal." Importantly, to B&P §10146 also states "...Each principal shall be furnished a verified copy of such accounting at the end of each calendar quarter and when the contract has been completely performed by the licensee. The Real Estate Commissioner shall be furnished a certified copy of any account or all accounts on his demand therefor."

Commissioner's Regulation 2972 details the accounting content that must be provided to the principal as required by B&P §10146. Commissioner's Regulation 2972 states "Each verified accounting to a principal or to the Commissioner as required by B&P §10146 of the Code shall include at least the following information:

- (a) The name of the agent
- (b) The name of the principal
- (c) Description of the services rendered or to be rendered
- (d) Identification of the trust fund account into which the advance fee has been deposited.
- (e) The amount of the advance fee collected.
- (f) The amount allocated or disbursed from the advance fee for each of the following:
 - In providing each of the services enumerated under (c) above.



- (2) Commissions paid to field agents and representatives.
- (3) Overhead costs and profit.
- (g) In cases in which disbursements have been made for advertising, a copy of the advertisement, the name of the publication, the number of the advertisements actually published and the dates that they were carried.
- (h) In the case of an advance fee for the arrangement of a loan secured by a real property or a business opportunity, a list of the names and addresses of the persons to whom information pertaining to the principal's loan requirements were submitted and the dates of the submittal."

Just because a broker may have successfully satisfied B&P §10085 and Commissioner's Regulation 2970, the broker still has to be aware that his fiduciary

duty regarding the collection of an advance fee from his client is not over. The collection of an advance fee from a client must be handled and accounted for under DRE's trust fund provisions as stated in the Business and Professions Code and the Commissioner's Regulations. In addition, a separate accounting must be provided to the principal that gives clear and detailed information on how his or her advance fee is being earned and spent by the real estate broker. As a reminder, B&P §10146 also states "Where advance fees actually paid by or on behalf of any principal are not handled in accordance with the preceding paragraph, it shall be presumed that the agent has violated Sections 505 and 506a of the Penal Code. The principal may recover treble damages for amounts so misapplied and shall be entitled to reasonable attorneys' fees in any action brought to recover the same." 🏠

Real estate publications

Ordering information

DRE publications are available:

On the Internet—All DRE publications are available free of charge on the DRE Web site at <u>www.dre.ca.gov</u>.

In person from District Offices — Complete Parts A, B, and C (if appropriate). Offices are located in Sacramento, Los Angeles, Oakland, Fresno, and San Diego.

By mail — Photocopy or remove this page from your *Bulletin*. Complete Parts A, B, and C (if appropriate). Mail it with the proper fee to:

Department of Real Estate Book Orders P.O. Box 187006 Sacramento, CA 95818-7006

By fax — Complete Parts A, B, and C.

Fax form to (916) 227-0361.

By phone — Have credit card information ready, then call Book Order desk at (916) 227-0852.

Acceptable payment methods

- Personal check, cashier's check or money order should be made payable to: Department of Real Estate.
- VISA, MasterCard, and American Express credit cards may be used to purchase DRE publications.
- Cash is acceptable only if purchasing in person and only if it's the exact amount of purchase.

California sales tax

Please apply the current county sales tax rate of the delivery address to your order. Requests and fees will be returned if the appropriate sales tax is not included.

Miscellaneous information

- Publications noted as free are limited to one copy; DRE grants requestor permission to reproduce these publications for complimentary distribution only.
- Prices are subject to change.
- Orders received with incorrect payments will be returned.
- > All sales are final no refunds.
- Allow 4–6 weeks for delivery.
- Volume discounts are available. Call DRE at (916) 227-0852 prior to ordering.

PART A PUBLICATIONS							
DRE	RE#	Title of Publication				Quantity	Your Cost
	1	Reference Book — A Real Estate Guide (Rev. 2000)		\$20		
	2	2009 Real Estate Law Book & CD set			\$25		
	6	Disclosures in Real Property Transactions			\$10		
	8	Operating Cost Manual for Homeowner Association	ns		\$10		
	25	Reserve Study Guidelines for Homeowner Associat	tion Budgets		\$10		
	4	Instructions to License Applicants			free		
	13	Trust Funds			free]	
	34	A Guide for Residents Purchasing Their Mobile Ho	me Park		free	1	
	35	Trust Deed Investments — What You Should Know	/!!		free]	
	35A	Using the Services of a Mortgage Broker			free	1	
	39	Living in a California Common Interest Developme	ent		free		
	51	A Consumer Guide to Filing Real Estate Complaint	S		free	1	
	52	2 Reverse Mortgages — Is One Right for You?					
PART B SHIPPING INFORMATION				0	<u>^</u>		
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Real Estate Bulletin — Summer 2009

Loan Mod Fraud

Continued from page 8

The DRE has a variety of materials on its Web site that licensees, as well as consumers, can use to educate themselves for both the legitimate loan modification services that are available, as well as ways to avoid becoming the next victim in a loan modification scam. Among these materials is a "Consumer Alert" that could be an excellent resource to hand out to local residents, especially those who are facing difficulty keeping up with payments on their existing loans.

The DRE's Web site is <u>www.dre.ca.gov</u> and all licensees are encouraged to take a part in protecting the public from loan modification scams. Before recommending any firm promising to perform loan modification work, remember the following three steps: "Log on, Look them up, and Check them out."



New address? Use the *eLicensing* online system at *www.dre.ca.gov* to make the change or submit the appropriate "change" form: RE 214 for salespersons; RE 204 for brokers; RE 204A for corporations.

Real Estate Bulletin

SUMMER 2009 INSIDE THIS ISSUE:

Commissioner's Message: Challenging times create once in a lifetime opportunities

Are you collecting an advance fee? more to know...

SAF f mortgage licensing act

New examination and licensing fees effective July 1, 2009