DEPARTMENT OF REAL ESTATE
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FILED
APR - 6 2011
DEPARTMENT OF REAL ESTATE
By K. Mar

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To:	NO. H-5573 SAC
VICTOR VIDES,	ORDER TO DESIST AND REFRAIN (B & P Code Section 10086)

The Real Estate Commissioner of the State of California (Commissioner) has caused an investigation to be made of the activities of VICTOR VIDES (VIDES), including engaging in the business of, acting in the capacity of, advertising, or assuming to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the California Business and Professions Code (the Code). Based upon the findings of that investigation, as set forth below, the Commissioner has determined and is of the opinion that VIDES, has violated Section 10130 of the Code by engaging in the business of or acting as a real estate salesperson or broker, within the meaning of Sections 10085.5 (charging an advance fee).

FINDINGS OF FACT

1. At all times mentioned herein VIDES was licensed by the Department as a real estate salesperson.

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2. At all times mentioned herein between on or about November 24, 2009, and continuing up to at least November of 2010, VIDES engaged in the business of, acted in the capacity of, or assumed to act as a real estate broker within the State of California within the meaning of Section 10131(d) of the Code, including solicitation of borrowers for or negotiation of loans or performance of services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property, including but not limited to direct solicitation as described above of individual mortgage borrower Erlinda A. of San Francisco, California.

3. During the period of time set out above, VIDES solicited borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection with loans secured directly or collaterally by one or more liens on real property; and charge, demand or collect an advance fee for any of the services offered.

CONCLUSIONS OF LAW

1. Based on the findings of fact contained in paragraphs 1 through 3, VIDES, among other things, solicited and/or performed services for borrowers, including but not limited to Erlinda A., in connection with loans secured directly or collaterally by liens on real property or on a business opportunity, for or in expectation of a compensation and claimed, demanded, charged, received, collected or contracted for an advanced fee for such services. Thus, VIDES violated Section 10085.5 of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore, VICTOR VIDES, IS HEREBY ORDERED to immediately Desist and Refrain from:

(1) charging, demanding, contracting for or receiving advance fees, as that term is defined in Section 10026 of the Code, for acts for which a real estate salesperson or broker license is required as prohibited by Section 10085.5 of the Code.

DATED: 3/16/11

JEFF DAVI
Real Estate Commissioner

BY: Barbara J. Bigby
Chief Deputy Commissioner

NOTICE

Business and Professions Code Section 10139 provides that "Any person acting as a real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars ($20,000), or by imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars ($60,000)..."

cc: VICTOR VIDES
8372 Blackman Way
Elk Grove, CA 95624

VICTOR VIDES
7412 Elsie Avenue
Sacramento, CA 95828

ATTY RKU/km