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DEPARTMENT OF REAL ESTATE
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January 24, 2013

DEPARTMENT OF REAL ESTATE

By _____

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

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To: RAUL ALCARAZ	No. H-11506 SF ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities RAUL ALCARAZ (ALCARAZ). Based on that investigation, the Commissioner has determined that ALCARAZ has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6, California Code of Regulations (Regulations), including but not limited to the collection of advance fees in violation of Section 10085.6 of the Code, and failing to obtain a mortgage loan originator license endorsement in violation of Section 10166.02(b). Furthermore, based on the investigation, the Commissioner hereby issues the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the authority of Section 10086 of the Code.

Whenever acts referred to below are attributed to ALCARAZ, those acts are alleged to have been done by ALCARAZ, acting by herself, or by and/or through one or more

agents, associates, affiliates, and/or co-conspirators, and using the name "International Brokers", "International Mortgage", or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. At all times mentioned, ALCARAZ was and is licensed by the Department as a real estate broker.

2. At no time has ALCARAZ been licensed as a mortgage loan originator (MLO).

3. During the period of time set forth below, ALCARAZ acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California within the meaning of Section 10131(d) of the Code, including the operation and conduct of a mortgage loan brokerage business with the public wherein ALCARAZ, for or in expectation of compensation, for another or others, solicited borrowers or lenders or negotiated loans or collected payments or performed services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity.

4. On or about February 3, 2012, ALCARAZ, via e-mail, solicited and/or offered an undercover Special Investigator to negotiate a residential loan modification concerning a piece of real property located within the State of California, in which ALCARAZ would negotiate a loan modification for an advance fee of $250 plus a monthly fee of $150.

5. On or about May 23, 2012, ALCARAZ, via telephone, solicited and/or offered an undercover Special Investigator to negotiate a residential mortgage loan refinance concerning a piece of real property located within the State of California, in which ALCARAZ would negotiate a refinance for a fee of "one point" of the value of the loan.

6. ALCARAZ solicited and/or offered borrowers for mortgage loan and/or loan modification services on his website, www.internationalbrokersgroup/com. As described on the website, ALCARAZ makes the following services and general claims:

- "INTERNATIONAL MORTGAGE offers custom solutions for every residential mortgage financing situation."

- "Whatever your residential financing needs, we will tailor a loan that's right for you:
  - Purchase
  - Refinance
  - Construction
  - Home Improvement
  - Home Equity Loan to 125%
  - Investment Properties
  - Debt Consolidation Loans
  - FHA/VA Loans
  - Stated Income Loans
  - Damaged Credit Loans"
- "We are a full service real estate agency with specialized services for selling, buying and financing real estate. Free Consultation on Loan Modification, Short Sales, and Foreclosures."

CONCLUSIONS OF LAW

7. Based on the findings of fact contained in paragraphs 1 through 6, ALCARAZ solicited, offered, and/or negotiated terms of a residential mortgage loan for one or more borrowers without obtaining a mortgage loan originator license endorsement in violation of Section 10166.02(b) of the Code.

8. Based on the findings of fact contained in paragraphs 1 through 4, ALCARAZ engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, which constitute trust funds, within the meaning of Sections 10026 and 10131.2 of the Code, in violation of Section 10085.6 of the Code.

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DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, ALCARAZ, whether doing business under your own name, or any other name or fictitious name, ARE HEREBY ORDERED to:

1. Immediately desist and refrain from performing any acts within the State of California for which a mortgage loan originator license endorsement is required. In particular, you are ordered to desist and refrain from taking a residential mortgage loan application or offering or negotiating terms of a residential mortgage loan for compensation, unless and until you obtain a mortgage loan originator license endorsement issued by the Department.

2. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the services you offer to others, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you are properly licensed by the Department as a real estate broker, and that ALCARAZ:

(A) Has an advance fee agreement which has been submitted to the Department and which is in compliance with Sections 2970 and 2972 of the Regulations;

(B) Has placed all previously collected advance fees into a trust account for that purpose and are in compliance with Section 10146 of the Code;

(C) Has provided an accounting to trust fund owner-beneficiaries pursuant to Section 2972 of the Regulations; and

(D) Is in compliance with California law, as amended, effective as of October 11, 2009, with respect to loan modification and/or forbearance services. Under the amended law, you can only collect advance fees for loan modification or other mortgage loan forbearance services related to commercial loans and loans for residential properties containing five or more dwelling units.

3. Immediately desist and refrain from demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and

under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units.

DATED: 1/23/2013

REAL ESTATE 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)."