Bureau of Real Estate
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FILED

APR 14 2014

BUREAU OF REAL ESTATE

By L. Frost

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To:

VIRENDER N. PURI, individually and doing business as NATIONAL HOME RESOURCES, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES.

No. H-11675 SF

ORDER TO DESIST AND REFRAIN

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of VIRENDER N. PURI ("PURI"), individually and dba NATIONAL HOME RESOURCES ("NATIONAL"), FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES. Based on that investigation the Commissioner has determined that PURI, individually and dba NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES have engaged in or are engaging in acts or are attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers and mortgage loan originators in the State of California within the meaning of Sections 10131(d) (soliciting, negotiating and performing services for borrowers in connection with loans secured by real property) and 10131.2 (advance fee handling), 10166.01 (activities requiring a mortgage loan originator endorsement) of the Business and Professions Code ("Code"), and acts involving the collection of advance fees for

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loan modification services after October 10, 2009, in violation of Sections 10085.5 and 10085.6 of the Code and Sections 2944.7 and 2945.4 of the Civil Code.

Whenever acts referred to below are attributed to PURI, individually and dba NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES acting alone, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. NATIONAL is not now, and has never been, licensed by the Bureau in any capacity.

2. FRANKLIN REAL ESTATE is not now, and has never been licensed by the Bureau in any capacity.

3. FRANKLIN FINANCIAL SERVICES is not now, and has never been, licensed by the Bureau in any capacity.

4. PURI is not now, and since June 14, 2010, has not been licensed by the Bureau in any capacity. PURI voluntarily surrendered his real estate broker license effective June 14, 2010 pursuant to Bureau Case No. H-10624 SF.

5. At the times set forth below PURI, dba NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES, solicited borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: engaged in the business of, acted in the capacity of, or advertised a loan modification and negotiation service and advance fee brokerage using their individual names and/or any other names, soliciting, offering to negotiate or perform loan modification services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees collected in advance of the transaction.

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Pampes Ave. Transaction

6. On or about March 26, 2012, NATIONAL entered into an agreement with Elizabeth B. for loan modification and negotiation services regarding Elizabeth B.'s existing mortgage on her property located on Pampes Avenue, in Oakland, California.

7. On or about March 26, 2012, NATIONAL, demanded and received an advance fee of $400.00 from Elizabeth B. for the activities described in paragraph 5, above.

8. Elizabeth B. obtained a permanent modification in January, 2013, approximately 10 months after paying the initial advanced fee described above in Paragraph 7.

Cisco Gardens Rd. Transaction

9. On or about August 28, 2012, Pam Wilson, as a representative of PURI and FRANKLIN REAL ESTATE, entered into an agreement with Sandra E. for loan modification and negotiation services regarding Sandra E.'s existing mortgage on her property located on Cisco Gardens Road in Jacksonville, Florida.

10. On or after October 1, 2012, Maria, as a representative of PURI and FRANKLIN FINANCIAL SERVICES, demanded and received advance fees of $1,725.00 from Sandra E. for the activities described in paragraph 5, above.

11. PURI, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES failed to obtain a loan modification for Sandra E., and have not returned the total $1,725.00 advance fees paid by Sandra E..

CONCLUSIONS OF LAW

Based on the Findings of Fact contained above in Paragraphs 1 through 11, PURI, NATIONAL, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES solicited borrowers and/or performed services for those borrowers with respect to the collection of advance fees and loan modification, loan refinance, principal reduction, foreclosure abatement or short sale services and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property; and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license and a

mortgage loan originator endorsement, all in violation of Sections 10085.5, 10085.6, 10130, 10131(d), 10131.2, and 10166.01 of the Code, and Sections 2944.7 and 2945.4 of the Civil Code.

DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, you, VIRENDER N. PURI, dba NATIONAL HOME RESOURCES, FRANKLIN REAL ESTATE and FRANKLIN FINANCIAL SERVICES, whether doing business under your own name or any other name or fictitious business name, ARE HEREBY ORDERED to immediately desist and refrain from:

1. Performing any acts within the State of California that require a real estate license and mortgage loan originator endorsement unless and until you are properly licensed by the Bureau;

2. Charging, 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 modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units;

3. 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 Bureau and that you:

(a) Have an advance fee agreement which has been submitted to the Bureau and which is in compliance with Sections 2970 and 2972 of the Regulations;

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

(c) Have provided an accounting to trust fund owner-beneficiaries pursuant to Section 2972 of the Regulations;

(d) Are in compliance with California law, as amended effective 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;

(e) Have refunded to Elizabeth B. the advance fees paid to you by her in this matter in the amount of $400.00; and

(f) Have refunded to Sandra E. the advance fees paid to you by her in this matter in the amount of $1,725.00,

DATED: MAR 2 5 2014

REAL ESTATE COMMISSIONER

JEFFREY MASON
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)."