Bureau of Real Estate
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FILED

July 2, 2014

BUREAU OF REAL ESTATE

By _____

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * *

To: LIDIA GRONSKY	No. H-11732 SF 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 LIDIA GRONSKY (GRONSKY), 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 & 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 GRONSKY has violated Section 10130 of the Code by engaging in the business of or acting as a real estate broker, within the meaning of Sections 10085.6 (charging an advance fee for loan modification), 10130 (act as a real estate broker without a license) and 10131(d) (soliciting borrowers for services in connection with loans secured by real property) of the Code without first having obtained a real estate broker license from the California Bureau of Real Estate (Bureau).

FINDINGS OF FACT

1. At all times mentioned herein, GRONSKY was licensed by the Bureau as a real estate salesperson.

2. At no time mentioned herein was GRONSKY licensed by the Bureau as a real estate broker.

3. At all times mentioned herein, between, on or about January 30, 2013, and continuing up to at least May 31, 2014, GRONSKY 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 borrowers, including but not limited to, Roman A. and Natalia Y.

4. On or about January 30, 2013, GRONSKY collected an advance fee payment of $5,000.00 from Roman A. and Natalia Y. to perform a loan modification on that certain real property commonly known as 2780 43rd Avenue, San Francisco, California (43rd Ave. Property). GRONSKY failed to obtain a loan modification on the 43rd Ave. Property and also failed to refund any of the fees to Roman A. and Natalia Y.

CONCLUSIONS OF LAW

Based on the Findings of Fact contained in paragraphs 1 through 4, above, GRONSKY, among other things, solicited and/or performed services for borrowers, including but not limited to, Roman A. and Natalia Y., 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, GRONSKY violated Sections 10085.6, 10130 and 10131(d) of the Code.

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DESIST AND REFRAIN ORDER

Now, therefore LIDIA GRONSKY IS HEREBY ORDERED to immediately desist and refrain from:

(1) Performing any and all acts within the State of California for which a real estate broker license is required, unless and until she obtains a real estate broker license.

(2) 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: JUN 2 0 2014

REAL ESTATE COMMISSIONER

By: 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)..."