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**FILED**

NOV 28 2012

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: *Fama B. Odom*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \*

11 To:	)	No. H-37792 LA
	)	
12 DAVID KENNEDY and	)	<u>AMENDED ORDER</u>
13 CHARLENE LOPEZ	)	<u>TO DESIST AND REFRAIN</u>
	)	
	)	(B&P Code Section 10086)
	)	

16 This Order to Desist and Refrain amends the Order to Desist and Refrain filed on  
17 January 17, 2012. The Commissioner ("Commissioner") of the California Department of Real  
18 Estate ("Department") caused an investigation to be made of the activities of DAVID  
19 KENNEDY ("KENNEDY") and CHARLENE LOPEZ ("LOPEZ"). Based on that investigation  
20 the Commissioner has determined that KENNEDY and LOPEZ have engaged in, or are engaging  
21 in, acts, or are attempting to engage in the business of, acting in the capacity of, and/or  
22 advertising or assuming to act as real estate brokers in the State of California within the meaning  
23 of Business and Professions Code Sections 10131(d) (soliciting borrowers, negotiating loans or  
24 performing services for borrowers in connection with loans secured by real property) and  
25 10131.2 (advance fee handling).

26 In addition, based on that investigation, the Commissioner has determined that  
27 KENNEDY and LOPEZ have engaged in, or are engaging in, acts, or are attempting to engage in

1 practices constituting violations of the California Business and Professions Code ("Code").  
2 Based on the findings of that investigation, set forth below, the Commissioner hereby issues the  
3 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the  
4 authority of Section 10086 of the Code.

5 FINDINGS OF FACT

6 1. KENNEDY is not now, nor has he ever been, licensed by the Department  
7 in any capacity.

8 2. LOPEZ has a restricted real estate salesperson license, which was placed  
9 on conditional suspension on July 28, 2008. LOPEZ has not been licensed with the Department  
10 as employed under any real estate broker since April 27, 2008. LOPEZ's license expired on  
11 January 26, 2011.

12 3. At the times set forth below, KENNEDY and LOPEZ negotiated to do one  
13 or more of the following acts for another or others, for or in expectation of compensation:  
14 engaged in the business of, acted in the capacity of, or advertised a loan modification and  
15 negotiation service and advance fee brokerage with respect to loans which were secured by liens  
16 on real property for compensation or in expectation of compensation and for fees collected in  
17 advance of the transaction.

18 Patrick and Paula P. Transaction

19 4. In or about July 2008, KENNEDY and LOPEZ solicited Patrick and Paula  
20 P, offering to negotiate a modification of Patrick and Paula P.'s home loan, on behalf of Orange  
21 County Mutual Fundings. On or about September 12, 2008 LOPEZ collected \$3,200 in advance  
22 fees from Patrick and Paula P. for loan modification services.

23 CONCLUSIONS OF LAW

24 5. Based on the information contained in Paragraphs 1 through 4 above,  
25 KENNEDY and LOPEZ violated Code Section 10130 by engaging in activities requiring a  
26 broker license without first obtaining a broker license from the Department.

27 ///



cc:

DAVID KENNEDY  
1421 Warner Avenue, Suite B  
Tustin, CA 92780

CHARLENE LOPEZ  
1126 Fay Lane #1  
Anaheim, CA 92806

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JUN 07 2012

DEPARTMENT OF REAL ESTATE

BY: *Guadalupe Valencia*

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To: ) No. H-37792 LA  
)  
DAVID KENNEDY, CHARLENE LOPEZ )  
and KAROL VLADOVICH )  
\_\_\_\_\_ )

DISMISSAL

On January 17, 2012, the Department of Real Estate ("Department") filed an Order to Desist and Refrain against KAROL VLADOVICH in Department Case No. H-37792 LA. Good cause has been shown that KAROL VLADOVICH, did not commit the acts set forth in the aforementioned Order to Desist and Refrain. Based thereon, the Order to Desist and Refrain filed on January 17, 2012, against KAROL VLADOVICH is DISMISSED.

DATED: May 28, 2012.

Real Estate Commissioner



By WAYNE S. BELL  
Chief Counsel

**FILED**

JAN 17 2012

1 Department of Real Estate  
2 320 West 4th Street, Suite 350  
3 Los Angeles, California 90013-1105

4 Telephone: (213) 576-6982

DEPARTMENT OF REAL ESTATE  
BY: *Guadalupe Morales*

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 \* \* \* \*

11 To:	)	No.H-37792 LA
	)	
12 DAVID KENNEDY, CHARLENE	)	<u>ORDER TO DESIST</u>
13 LOPEZ and KAROL VLADOVICH	)	<u>AND REFRAIN</u>
	)	
	)	(B&P Code Section 10086)
	)	

16 The Commissioner ("Commissioner") of the California Department of Real Estate  
17 ("Department") caused an investigation to be made of the activities of DAVID KENNEDY  
18 ("KENNEDY"), CHARLENE LOPEZ ("LOPEZ") and KAROL VLADOVICH  
19 ("VLADOVICH"). Based on that investigation the Commissioner has determined that  
20 KENNEDY, LOPEZ and VLADOVICH have engaged in, or are engaging in, acts, or are  
21 attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming  
22 to act as real estate brokers in the State of California within the meaning of Business and  
23 Professions Code Sections 10131(d) (soliciting borrowers, negotiating loans or performing  
24 services for borrowers in connection with loans secured by real property) and 10131.2 (advance  
25 fee handling).

26 In addition, based on that investigation, the Commissioner has determined that  
27 KENNEDY, LOPEZ and VLADOVICH have engaged in, or are engaging in, acts, or are

1 attempting to engage in practices constituting violations of the California Business and  
2 Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations").  
3 Based on the findings of that investigation, set forth below, the Commissioner hereby issues the  
4 following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the  
5 authority of Section 10086 of the Code.

6 FINDINGS OF FACT

7 1. KENNEDY and VLADOVICH are not now, nor have they ever been,  
8 licensed by the Department in any capacity.

9 2. LOPEZ has a restricted real estate salesperson license, which was placed  
10 on conditional suspension on July 28, 2008. LOPEZ has not been licensed with the Department  
11 as employed under any real estate broker since April 27, 2008.

12 3. At the times set forth below, KENNEDY, LOPEZ and VLADOVICH  
13 negotiated to do one or more of the following acts for another or others, for or in expectation of  
14 compensation: engaged in the business of, acted in the capacity of, or advertised a loan  
15 modification and negotiation service and advance fee brokerage with respect to loans which were  
16 secured by liens on real property for compensation or in expectation of compensation and for  
17 fees collected in advance of the transaction.

18 Patrick and Paula P. Transaction

19 4. In or about July 2008, KENNEDY and LOPEZ solicited Patrick and Paula  
20 P, offering to negotiate a modification of Patrick and Paula P.'s home loan, on behalf of Orange  
21 County Mutual Fundings. On or about September 12, 2008 LOPEZ collected \$3,200 in advance  
22 fees from Patrick and Paula P. for loan modification services.

23 Harold and Sharlene H. Transaction

24 5. On or about April 1, 2009, VLADOVICH solicited Harold and Sharlene  
25 H, offering to negotiate a modification of Harold and Sharlene H.'s home loan, on behalf of  
26 Orange County Mutual Fundings. On or about April 14, 2009, VLADOVICH collected payment  
27 of \$2,495 in advance fees from Harold and Sharlene H. for loan modification services.



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cc: DAVID KENNEDY  
KAROL VLADOVICH  
1421 Warner Avenue, Suite B  
Tustin, CA 92780

CHARLENE LOPEZ  
1126 Fay Lane #1  
Anaheim, CA 92806