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DEPARTMENT OF REAL ESTATE
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FILED
JAN 19 2012
DEPARTMENT OF REAL ESTATE
By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	
ROBERT FLORES REYNOSO and DANIEL SPEAR, REYNOSO GROUP, INC., SPEAR JACKSON, INC., and/or any other names or fictitious names.	NO. H-37797 LA 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 of ROBERT FLORES REYNOSO (REYNOSO), DANIEL SPEAR (SPEAR), REYNOSO GROUP, INC., and SPEAR JACKSON, INC. Based on the investigation, the Commissioner has determined that REYNOSO, SPEAR, REYNOSO GROUP, INC., and SPEAR JACKSON, INC. have engaged in, are engaging in, or are 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 the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Sections 10131(a) (soliciting prospective sellers or purchasers or negotiating the purchase, sale or

exchange of real property) and 10131(d) (performing services for borrowers in connection with loans secured by real property) of the Code. 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 REYNOSO and SPEARS, those acts are alleged to have been done by REYNOSO and SPEARS, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the names REYNOSO GROUP, INC. and/or SPEAR JACKSON, INC., or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. From June 26, 2003, through the present, REYNOSO has been licensed by the Department as a real estate salesperson, Department License No. 01387840.

2. At no time herein mentioned have SPEAR, REYNOSO GROUP, INC. or SPEAR JACKSON, INC., been licensed by the Department in any capacity.

3. During the period of time set out below, REYNOSO and SPEAR 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.

4. On or about February 3, 2009, REYNOSO, while using the unlicensed fictitious business name, REYNOSO GROUP, INC., solicited loan modification and negotiation services to Jose G., in violation of Section 10130 of the Code. Jose G. paid advance fees totaling $6,600 to REYNOSO pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by real property. REYNOSO failed to

perform the loan modification and negotiation services that had been promised to Jose G. REYNOSO refused Jose G.'s demand for a refund of his advance fees.

5. On or about September 23, 2009, REYNOSO and SPEAR solicited loan modification and negotiation services to Gloria R., in violation of Section 10130 of the Code. Gloria R. paid advance fees totaling $7,500 to REYNOSO GROUP, INC. and SPEAR JACKSON, INC. pursuant to an advance fee agreement for loan modification and negotiation services in connection with a loan secured by real property. REYNOSO and SPEAR failed to perform the loan modification and negotiation services that had been promised to Gloria R. REYNOSO and SPEAR refused Gloria R.'s demand for a refund of her advance fees.

CONCLUSIONS OF LAW

6. Based on the findings of fact contained in paragraphs 1 through 5, REYNOSO and SPEAR, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the names REYNOSO GROUP, INC. and/or SPEAR JACKSON, INC., or other names or fictitious names unknown at this time, solicited borrowers and performed services for those borrowers and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, which requires a real estate license under Sections 10131(a) and 10131(d) of the Code, during a period of time when REYNOSO and SPEAR were not licensed by the Department as real estate brokers or salespersons working under the employment or supervision of a licensed real estate broker, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you ROBERT FLORES REYNOSO and DANIEL SPEAR, doing business under your own names, using the names REYNOSO GROUP, INC., and/or SPEAR JACKSON, INC., or any other names or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, and in particular, soliciting purchasers, sellers or negotiating the purchase, sale or

exchange of real property or soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, unless and until you obtain a real estate broker license issued by the Department.

DATED: 12/13, 2011

BARBARA J. BIGBY
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)."

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