Department of Real Estate
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FILED

MAY -9 2012

DEPARTMENT OF REAL ESTATE
BY:

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To: JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR. and RELIEF INVESTMENT GROUP, LLC.	No. H-38121 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 JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR., and RELIEF INVESTMENT GROUP, LLC. Based on that investigation the Commissioner has determined that JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR., and RELIEF INVESTMENT GROUP, LLC have engaged in or are engaging in acts or attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming to act as real estate brokers in the State of California within the meaning of Business and Professions Code Sections 10131(a) (solicit prospective sellers or purchasers of or negotiate the purchase, sale or exchange of real property), 10131(d) (solicit borrowers for or negotiate loans or perform services for borrowers in connection with loans secured by liens on real property), and 10131.2 (engage in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with offering to

obtain a loan on real property.

In addition, based on that investigation, the Commissioner has determined that JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR., and RELIEF INVESTMENT GROUP, LLC have engaged in or are engaging in acts or are attempting to engage practices constituting violations of the California Business and Professions Code ("Code"). Based on the findings of that investigation, set forth below, 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.

All further references to RELIEF INVESTMENT GROUP, LLC include JOSE MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR., as well as the officers, agents and employees of RELIEF INVESTMENT GROUP, LLC. ANGEL MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR., engaged in the activities set forth below while doing business as RELIEF INVESTMENT GROUP, LLC, Sensible Solutions Specialist and any other fictitious business names not known at this time.

FINDINGS OF FACT

1. From March 19, 2007, through the present, JOSE MENJIVAR ("MENJIVAR") has been licensed by the Department as a real estate salesperson, license no. 01798142.

2. From October 13, 2011, through the present, ANGEL ORTIZ has been licensed by the Department as a real estate salesperson, license no. 01321319.

3. At no time mentioned herein have RELIEF INVESTMENT GROUP, LLC or JUAN ORTIZ, JR. ever been licensed by the Department in any capacity.

4. On May 10, 2007, ANGELORTIZ formed RELIEF INVESTMENT GROUP, LLC, a California corporation. ANGEL ORTIZ is the president and chief executive officer of RELIEF INVESTMENT GROUP, LLC. JUAN ORTIZ, JR. is a director of RELIEF INVESTMENT GROUP, LLC. Sensible Solutions Specialist is a fictitious business name of RELIEF INVESTMENT GROUP, LLC and ANGEL ORTIZ.

5. Code Section 10132 defines a real estate salesperson as a person who, for compensation or in expectation of compensation, is employed by a licensed real estate broker to do one or more of the acts set forth in Sections 10131, 10131.1, 10131.2, 10131.3, 10131.4, and 10131.6. Code Section 10131 defines a real estate broker as a person who: (a) sells or offers to sell, buys or offers to buy, solicits prospective sellers or purchasers of, solicits or obtains listing of, or negotiates the purchase, sale or exchange of real property or a business opportunity; or (d) solicit borrowers, negotiate loans, collect payments or perform services for borrowers in connection with loans secured directly or collaterally by liens on real property.

6. Code Section 10131.2 defines a real estate broker as a person who engages in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with any employment undertaken to promote the sale or lease of real property or of a business opportunity by advance fee listing, advertisement or other offering to sell, lease, exchange or rent property or a business opportunity, or to obtain a loan or loans thereon.

7. For an unknown period of time beginning no later than April 23, 2009, MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR., while using the unlicensed fictitious business name RELIEF INVESTMENT GROUP, LLC, severally or jointly engaged in the business of soliciting to modify or negotiate loans secured by real property, and claimed, demanded, charged, received, collected or contracted for the collection of advance fees, within the meaning of Code Section 10026 for the following borrowers:

Luis and Maria L.

8. On or around April 23, 2009, MENJIVAR solicited and offered to assist borrowers Luis and Maria L. with refinancing, loan modification or negotiation services on behalf of RELIEF INVESTMENT GROUP, LLC. Maria L. entered into a written advance fee agreement with RELIEF INVESTMENT GROUP, LLC for loan refinance or modification services in connection with a loan secured by real property. Luis and Maria L. paid an initial advance fee of $6,990 to RELIEF INVESTMENT GROUP, LLC. Over the course of eleven

months, MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR. charged and collected monthly fees of $1,500 from Luis and Maria L. for a total of $23,490 paid to MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR. MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR. made numerous substantial misrepresentations to Luis and Maria L. in order to induce them to continue making the monthly payments on the assumption that MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR. would save their home from foreclosure. MENJIVAR, ANGEL ORTIZ, and JUAN ORTIZ, JR. failed to perform the refinance, loan modification or negotiation services that had been promised to Luis and Maria L.

CONCLUSIONS OF LAW

9. Based on the information contained in Paragraphs 1 through 8, above, JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR., and RELIEF INVESTMENT GROUP, LLC violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Department.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT JOSE MENJIVAR, ANGEL ORTIZ, JUAN ORTIZ, JR., and RELIEF INVESTMENT GROUP, LLC, whether doing business in their own name or any other fictitious business name, immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, unless you are so licensed.

DATED: 4/23, 2012.

Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

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)."

cc: Jose Menjivar
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