FILED

MAY 15 2012

DEPARTMENT OF REAL ESTATE
BY: Guadalupe Valencia

Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

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DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To:	No.H-38140 LA
IBANEZ UNLIMITED, INC	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 IBANEZ UNLIMITED, INC ("IBANEZ") and has determined that IBANEZ has engaged in or is engaging in acts or practices constituting violations of the California Business and Professions Code ("Code"), 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) (soliciting borrowers or lenders or performing services in connection with loans) and Section 10131.2 (claiming advance fees in connection with a loan). Based on the findings of that investigation, as set forth below, the

Commissioner hereby issues the following Findings of Fact and Desist and Refrain Order pursuant to Section 10086 of the Code.

FINDINGS OF FACT

1. IBANEZ is not now, nor has it ever been, licensed by the Department in any capacity.

2. At the time set forth below, IBANEZ engaged in the business of, acted in the capacity of, or advertised a mortgage loan service and advance fee brokerage offering to perform and performing mortgage loan services with respect to loans secured by liens on real property for compensation or in expectation of compensation and for fees collected in advance of the transaction.

3. In or about June 2009, Hugo & Mirna V. responded to a radio advertisement in which IBANEZ offered services on home loans. Between August 17, 2009 and October 9, 2009, Hugo & Mirna V. received three receipts of payment for $1,750 each from IBANEZ. These receipts stated that payment was made to serve "as intermediary between client and attorney for mitigation purposes against ASC (bank)", regarding the home loan of Hugo & Mirna V.

CONCLUSIONS OF LAW

Based on the information contained above, IBANEZ performed and/or participated in mortgage loan services which require a broker license under the provision of Code Sections 10131(d) and 10131.2 during a period of time when IBANEZ was not licensed by the Department as a real estate broker, in violation of Code Section 10130.

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DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that IBANEZ UNLIMITED, INC, whether doing business under its own name, or any other names, or any fictitious name, IS 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. In particular it is ORDERED TO DESIST AND REFRAIN from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

DATED: 4/23/2012

REAL ESTATE COMMISSIONER

By: 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: IBANEZ UNLIMITED, INC
388 E. Ocean Boulevard, #502
Long Beach, CA 90802