Department of Real Estate
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FILED

JUN 25 2012

DEPARTMENT OF REAL ESTATE
BY: C.2

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To: CALIFORNIA SKY PREMIER, LLC; NEW START PROGRAM; MAJESTIC GROUP-TRUST; FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES; FWHLA; FWHLA.ORG; ZAP GROUP, INC; ZAP GROUP LEGAL; LEGAL CONNECTIONS; SERVICE SOLUTION; IRMA DIAZ; LUCY DELGADO; and FLAVIO HUMBERTO LOPEZ.	No. H-38217 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 CALIFORNIA SKY PREMIER, LLC; NEW START PROGRAM; MAJESTIC GROUP-TRUST; FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES; FWHLA; FWHLA.ORG; ZAP GROUP, INC.; ZAP GROUP LEGAL; LEGAL CONNECTIONS; SERVICE SOLUTION; IRMA DIAZ; LUCY DELGADO; and FLAVIO HUMBERTO LOPEZ (sometimes collectively referred to as "Respondents").

Based on that investigation the Commissioner has determined that Respondents 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(b) (rent or solicit for prospective tenants, negotiate the sale, purchase or exchanges of leases on real property, or collect rent from 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), 10131(e) (sell, buy, exchange or offer to exchange a real property sales contract, or a promissory note secured directly or collaterally by a lien on real property, and performs services for the holders thereof), and 10131.1(a) (make agreements with the public for the collection of payments or for the performance of services in connection with real property sales contracts or promissory notes secured directly or collaterally by liens on real property).

In addition, based on that investigation, the Commissioner has determined that Respondents have engaged in or are engaging in acts or are attempting to engage practices constituting violations of the California Business and Professions Code ("Code") and/or Title 10, California Code of Regulations ("Regulations"). 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.

FINDINGS OF FACT

1. At no time mentioned herein have CALIFORNIA SKY PREMIER, LLC; NEW START PROGRAM; MAJESTIC GROUP-TRUST; FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES; FWHLA; FWHLA.ORG; ZAP GROUP, INC.; ZAP GROUP LEGAL; LEGAL CONNECTIONS; SERVICE SOLUTION; IRMA DIAZ; LUCY DELGADO; and FLAVIO HUMBERTO LOPEZ ever been licensed by the Department in any capacity.

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2. At all times mentioned herein, in the State of California, Respondents, while using their own names or other fictitious business names, engaged in the business of a real estate broker conducting activities requiring a real estate license within the meaning of Code Sections 10131(a) (solicit prospective sellers or purchasers of, or negotiate the purchase, sale or exchange of real property), 10131(b) (rent or solicit for prospective tenants, negotiate the sale, purchase or exchanges of leases on real property, or collect rent from 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), 10131(e) (sell, buy, exchange or offer to exchange a real property sales contract, or a promissory note secured directly or collaterally by a lien on real property, and performs services for the holders thereof), and 10131.1(a) (make agreements with the public for the collection of payments or for the performance of services in connection with real property sales contracts or promissory notes secured directly or collaterally by liens on real property).

3. For compensation or in expectation of compensation and for fees often collected in advance, Respondents, while using their own names or other fictitious business names, solicited borrowers by offering to conduct loan negotiations and modifications, foreclosure forbearance, mitigation, or foreclosure consultant services in connection with loans secured by liens on real property.

4. For compensation or in expectation of compensation and for fees often collected in advance, Respondents engaged in a plan and scheme wherein Respondents solicited and induced homeowners into signing Powers of Attorney and Quitclaim Deeds to their real properties for DAVID ZEPEDA, SUNSET BEACH TRUST, SB MANAGEMENT, FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES, TWIN BUILDERS FOUNDATION CORPORATION, or other unknown individuals, entities, or trusts. Respondents further induced homeowners to stop paying their mortgages and instead pay rents or "caretaker" fees for the real properties directly to Respondents on a monthly basis. Respondents made misrepresentations to homeowners including, but not limited to, that

Respondents would stop the foreclosure on the homeowners' properties, that homeowners would obtain more favorable terms, lowered principal or lower payments on their mortgages, that the Respondents would pool the homeowners' monies in order to purchase the notes from the homeowners' lenders and sell the real properties back to the homeowners at a lower cost. Respondents offered to pay commissions for referring other homeowners to join the "caretaker" plan. Respondents failed to complete the services promised to the homeowners. Several homeowners subsequently lost their properties in foreclosure and were evicted from their homes after joining Respondents' "caretaker" plan.

5. Approximately 550 homeowners were victimized as a result of Respondents' plan and scheme described in Paragraph 4 above. Said homeowners include, but are not limited to, the following:

	DATE OF TRANSACTION	**HOMEOWNER**	**AMOUNT PAID TO RESPONDENTS**
1	Dec. 27, 2009	Maria J.	$2,000
2	Oct. 26, 2010	Sergio and Eloisa L.	$13,670

CONCLUSIONS OF LAW

6. Based on the information contained in Paragraphs 1 through 5, above, CALIFORNIA SKY PREMIER, LLC; NEW START PROGRAM; MAJESTIC GROUP-TRUST; FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES; FWHLA; FWHLA.ORG; ZAP GROUP, INC.; ZAP GROUP LEGAL; LEGAL CONNECTIONS; SERVICE SOLUTION; IRMA DIAZ; LUCY DELGADO; and FLAVIO HUMBERTO LOPEZ violated Code Section 10130 by engaging in activities requiring a real estate license without first obtaining a broker license from the Department.

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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 CALIFORNIA SKY PREMIER, LLC; NEW START PROGRAM; MAJESTIC GROUP-TRUST; FINANCIAL WELLNESS FOR HOMEOWNERS OF LOS ANGELES; FWHLA; FWHLA.ORG; ZAP GROUP, INC.; ZAP GROUP LEGAL; LEGAL CONNECTIONS; SERVICE SOLUTION; IRMA DIAZ; LUCY DELGADO; and FLAVIO HUMBERTO LOPEZ 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 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: May 24, 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: California Sky Premier, LLC/Majestic Group-Trust/ New Start Program
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