TO: FLAG SECTION, SACTO.

FROM: LA LEGAL

RE: DESIST AND REFRAIN ORDER

DAVID CALDERA

FILE NO. H-38693 LA DATED FILED: February 06, 2013

LICENSED

NO RECORD

DAVID CALDERA

Department of Real Estate
320 West Fourth St. #350
Los Angeles, CA 90013

(213) 576-6982

FILED

FEB - 6 2013

DEPARTMENT OF REAL ESTATE
BY: Laura B. Allen

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To:	No. H-38693 LA
DAVID CALDERA	ORDER TO DESIST AND REFRAIN
	(B&P Code Section 10086)

The Real Estate Commissioner of the State of California ("Commissioner") has caused an investigation to be made of the activities of DAVID CALDERA. Based on that investigation, the Commissioner has determined that DAVID CALDERA has engaged in, is engaging in, or is attempting to engage in, acts or practices constituting violations of the California Business and Professions Code ("Code"), including acting in the capacity of, advertising and/or assuming to act as a real estate broker in the State of California within the meaning of Code Sections 10131(d) (advertising, soliciting borrowers for, and offering to perform loan modification services for distressed homeowners) and 10131.2 (collecting advance fees in connection with those services). Based on that 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.

FINDINGS OF FACT

1. DAVID CALDERA ("CALDERA") is not now, and has never been, licensed by the Department of Real Estate of the State of California ("Department") as a real estate broker or as a real estate salesperson employed by a real estate broker.

2. Beginning on or bout June 15, 2008 and continuing through on or after May 19, 2009, CALDERA solicited Teodora P. and offered to provide her with assistance avoiding foreclosure through obtaining a loan modification or short sale of her home in exchange for payment of an advance fee or fees.

3. Between June 15, 2008 and May 19, 2009, Teodora P. paid CALDERA $10,000.00 in several payments for loan modification services.

4. CALDERA never provided Teodora with any services, and did not refund her money to her.

CONCLUSIONS OF LAW

The conduct, acts and/or omissions of DAVID CALDERA, as set forth in the Findings of Fact above, when not licensed by the Department as a real estate broker or as a salesperson employed by a real estate broker licensed by the Department, was in violation of Code Section 10130.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, DAVID CALDERA, whether doing business under your own names, or any other names, or fictitious names, IS HEREBY ORDERED to immediately desist and refrain from performing any acts which require a real estate broker license until properly licensed. Such acts include, but are not limited to:

(i) 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, and

(ii) charging, demanding, or collecting a fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Commissioner's Regulations relating to charging, collecting, and accounting for fees.

DATED: 2/1, 2013

Real Estate Commissioner

By:

By AWET P. KIDANE
Chief Deputy 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)."

cc: David Caldera
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