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Department of Real Estate
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FILED

AUG 29 2013

DEPARTMENT OF REAL ESTATE
BY: [signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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To: FIRST ONE LENDING CORPORATION, dba First One, and dba National Mortgage Help Center; JOHN VESCERA; and RANDA MAHMOUD EL-FARRA.	No. H-39023 LA 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 FIRST ONE LENDING CORPORATION, dba First One, and dba National Mortgage Help Center; JOHN VESCERA and RANDA MAHMOUD EL-FARRA. Based on that investigation, the Commissioner has determined that FIRST ONE LENDING CORPORATION, JOHN VESCERA and RANDAMAHMOUD EL-FARRA 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"), including acting in the capacity of, advertising and/or assuming to act as real estate brokers 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.

Whenever acts referred to below are attributed to FIRST ONE LENDING CORPORATION, JOHN VESCERA and/or RANDA MAHMOUD EL-FARRA, those acts are alleged to have been done by FIRST ONE LENDING CORPORATION, JOHN VESCERA and/or RANDA MAHMOUD EL-FARRA, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the names FIRST ONE LENDING CORPORATION, First One, and/or National Mortgage Help Center, or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. FIRST ONE LENDING CORPORATION, dba National Mortgage Help Center, and dba First One ("FIRST ONE"), is a California Corporation. FIRST ONE 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, and is not a fictitious business name of any real estate licensee. The main business and principal executive office address for FIRST ONE on record with the California Secretary of State is 31831 Camino Capistrano, #300-B, San Juan Capistrano, CA 92675. As of December 10, 2010, JOHN VESCERA was the owner and an officer of FIRST ONE. As of March 19, 2012, RANDA MAHMOUD EL-FARRA, Robert Davis and James Hartman are officers of FIRST ONE.

2. JOHN VESCERA ("VESCERA") is not currently and has never been licensed by the Department in any capacity. At all times relevant, JOHN VESCERA was the owner and a controlling officer of FIRST ONE.

3. RANDA MAHMOUD EL-FARRA ("EL-FARRA") is licensed by the

Department as a real estate salesperson. EL-FARRA was first licensed by the Department as a salesperson on or about May 31, 2008. Her salesperson license expired on May 30, 2012, and she retains rights to renewal. At all times relevant, EL-FARRA acted as an agent and/or employee of FIRST ONE. As of March 19, 2012, EL-FARRA was an officer of FIRST ONE.

4. At all times mentioned herein, FIRST ONE, VESCERA and EL-FARRA engaged in the business of soliciting and acting on behalf of consumers seeking loan modification, foreclosure avoidance and other real estate related services for a fee.

5. On or about July 2, 2010, Marita and Joseph E. entered into a loan modification agreement with FIRST ONE and paid FIRST ONE an advance fee of $1,850.00. EL-FARRA, as an agent of FIRST ONE, informed Marita and Joseph E. that she submitted paperwork to their lender to obtain approval for a loan modification. On or about August 2, 2010, Marita and Joseph E. learned that their lender had not received any paperwork from FIRST ONE on their behalf, and that a Notice of Default was entered against them. Nonetheless, on August 31, 2010, EL-FARRA wrote to Marita and Joseph E. that their modification was denied and that they should consider a short sale. On behalf of FIRST ONE, EL-FARRA informed Marita and Joseph E. that their money would not be refunded. During the course of their dealings with FIRST ONE, Marita and Joseph E. received written communications from EL-FARRA as "case manager," and VESCERA as "Owner and President" of FIRST ONE.

6. On or about October 5, 2010, Bruce H. entered into an agreement with FIRST ONE pursuant to which FIRST ONE would assist Bruce H. in obtaining a loan modification in exchange for payment of an up front fee of $1,450.00. The written agreement FIRST ONE provided to Bruce H. set forth a "100% Money Back Policy," which was similar to the representations made in the flyers advertising FIRST ONE's services to the public. However, FIRST ONE did not assist Bruce H. in obtaining a loan modification and refused to

refund any portion of the advance fee paid.

7. On or about August 4, 2011, Rafique K. paid FIRST ONE an up front fee of $1,450.00 for loan modification services. No services were provided and FIRST ONE refused to refund his money.

8. The conduct set forth above occurred when neither FIRST ONE nor VESCERA were licensed by the Department in any capacity. EL-FARRA was licensed as a salesperson, but was not licensed as a broker and was not employed at the time by a licensed real estate broker.

CONCLUSIONS OF LAW

The conduct, acts and/or omissions of FIRST ONE LENDING CORPORATION; JOHN VESCERA and RANDA MAHMOUD EL-FARRA, as set forth in the Findings of Fact above, when not licensed by the Department as real estate brokers or as salespersons 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, it is hereby ordered that FIRST ONE LENDING CORPORATION, JOHN VESCERA, and RANDA MAHMOUD EL-FARRA, whether doing business under their own names, or any other names, or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California which require a real estate broker license until they are properly licensed. In particular, each of them is ORDERED TO DESIST AND REFRAIN from:

(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 set forth in Title 10, Chapter 6 of the California Code of Regulations relating to charging, collecting, and accounting for fees.

DATED: July 17, 2013

REAL ESTATE COMMISSIONER

By: JEFFREY MASON
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)."