BUREAU OF REAL ESTATE
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FILED

JAN 21 2014

BUREAU OF REAL ESTATE

By

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

To: HRS & ASSOCIATES; NOEL RAMOS, individually and dba HRS & ASSOCIATES; and GERALD CASTANEDA, individually, and dba HRS & Associates	NO. H- 39278 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau") caused an investigation to be made of the activities of HRS & ASSOCIATES ("HRS"), NOEL RAMOS ("RAMOS"), and GERALD CASTANEDA ("CASTANEDA"). Based on that investigation, the Commissioner has determined that HRS, RAMOS, and CASTANEDA, and/or any other fictitious business names used by HRS, RAMOS and/or CASTANEDA, 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 violating Code Section 10130 by engaging in the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the

meaning of Code Section 10131(d) (solicit borrowers or lenders for or negotiate loans or collect payments or perform services for borrowers or lenders or note owners in connection with loans secured directly or collaterally by liens on real property or on a business opportunity). 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.

Whenever acts referred to below are attributed to HRS, those acts are alleged to have been done by HRS, acting by itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to RAMOS and/or CASTANEDA and using the names "HRS & ASSOCIATES," "Home Retention Solutions," or other names or fictitious names unknown at this time.

Whenever acts referred to below are attributed to RAMOS, those acts are alleged to have been done by RAMOS, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to HRS and/or CASTANEDA and using the names "HRS & ASSOCIATES," "Home Retention Solutions," or other names or fictitious names unknown at this time.

Whenever acts referred to below are attributed to CASTANEDA, those acts are alleged to have been done by CASTANEDA, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to HRS and/or RAMOS and using the names "HRS & ASSOCIATES," "Home Retention Solutions," or other names or fictitious names unknown at this time.

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FINDINGS OF FACT

1. HRS & ASSOCIATES is not now, and has never been, licensed by the Bureau in any capacity. On or about January 13, 2009, HRS & ASSOCIATES filed with the Orange County Clerk-Recorder's Office a Fictitious Business Name Statement signed by Office/Manager RAMOS listing CASTANEDA and RAMOS as the registered owners and "Home Retention Solutions" as an additional fictitious business name.

2. RAMOS is not not now, and has never been, licensed by the Bureau in any capacity.

3. CASTANEDA is not not now, and has never been, licensed by the Bureau in any capacity.

4. HRS, RAMOS, and CASTANEDA solicited borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: solicit or negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection with loans secured directly or collaterally by one or more liens on real property; and charge, demand or collect an advance fee for any of the services offered.

5. HRS advertised loan modification services under one or more business names, including, but not limited to "HRS & ASSOCIATES" through its website at http://www.hrsaa.com. HRS stated on its website that its team has been helping homeowners save their homes since 2007 through its network of consultants and provided loan modification, foreclosure defense, and bankruptcy services.

Ricardo A.'s Transaction

6. On or about June 29, 2010, Ricardo A. made payment of $1,500.00 to HRS for loan modification services on his real property located in Los Angeles, California. Three months elapsed and the bank contacted Ricardo A. to inform that he did not qualify for a loan

modification. To date, HRS has neither refunded Ricardo A. the $1,500.00 nor obtained a loan modification for Ricardo A.'s Los Angeles property.

Jorge H.'s Transaction

7. In October 2010, Jorge H. sought the assistance of HRS to assist with a loan modification on his real property located in Los Angeles, California. CASTANEDA demanded and Jorge H. paid $500.00 via bank transfer to an account bearing the name "HRS & Associates." Since the time of the bank transfer, Jorge H. has neither heard from HRS or Castaneda; nor has he received any assistance with the loan modification on his Los Angeles property.

Maria R.'s Transaction

8. In April 2011, Maria R. went to the offices of HRS upon receiving a telephone call from HRS with a promise to help lower her mortgage on her real property located in Los Angeles, California. HRS demanded and on or about April 7, 2011 Maria R. paid $500.00 via personal check for loan modification services. To date, HRS has neither Maria R. the $500.00 nor obtained a loan modification for Maria R.'s Los Angeles property.

HRS' Continued Unlicensed Activity

9. On or about March 28, 2013 a representative of the Bureau visited HRS at 540 North Golden Circle, Suite 204 in Santa Ana, California and observed that HRS is still an active business.

CONCLUSIONS OF LAW

10. Based on the findings of fact contained in paragraphs 1 through 9, HRS, acting by itself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to RAMOS and/or CASTANEDA, and using the names "HRS & ASSOCIATES" and "Home Retention Solutions," or other names or fictitious names

unknown at this time, solicited borrowers to negotiate loans or perform services, in connection with loans secured directly or collaterally by one or more liens on real property. These acts, which require a real estate broker license under Code Section 10131(d), were performed during a period of time when HRS was not licensed by the Bureau as a real estate broker, a violation of Code Section 10130.

11. Based on the findings of fact contained in paragraphs 1 through 9, RAMOS, acting by himself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to HRS and/or CASTANEDA, and using the names "HRS & ASSOCIATES" and "Home Retention Solutions," or other names or fictitious names unknown at this time, solicited borrowers to negotiate loans or perform services, in connection with loans secured directly or collaterally by one or more liens on real property. These acts, which require a real estate broker license under Code Section 10131(d), were performed during a period of time when RAMOS was not licensed by the Bureau as a real estate broker, a violation of Code Section 10130.

12. Based on the findings of fact contained in paragraphs 1 through 9, CASTANEDA, acting by himself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to HRS and/or RAMOS, and using the names "HRS & ASSOCIATES" and "Home Retention Solutions," or other names or fictitious names unknown at this time, solicited borrowers to negotiate loans or perform services, in connection with loans secured directly or collaterally by one or more liens on real property. These acts, which require a real estate broker license under Code Section 10131(d), were performed during a period of time when CASTANEDA was not licensed by the Bureau as a real estate broker, a 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 HRS & ASSOCIATES, NOEL RAMOS, and GERALD CASTANEDA, whether doing business under their own names or any other name(s) or fictitious name(s), ARE 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 you are ORDERED TO DESIST AND REFRAIN from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Code Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four of fewer dwelling units (Code Section 10085.6); and
2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Code Section 10026 of the Code, for any other real estate related services offered by them to others.

DATED: JAN 15 2014 2014

Real Estate Commissioner

By

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: HRS & ASSOCIATES
NOEL RAMOS
GERALD CASTANEDA

By: JEFFREY MASON
Chief Deputy Commissioner