Bureau of Real Estate
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Los Angeles, California 90013

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FILED

APR 09 2014

BUREAU OF REAL ESTATE

By

BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

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To: GOLDEN KEY; GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; DANIEL PEDRO HERNANDEZ; and FABIAN VALDEZ	No. H-39399 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 GOLDEN KEY; GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; DANIEL PEDRO HERNANDEZ; and FABIAN VALDEZ, and has determined that they have each engaged in or are 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, engaging in the business of, acting in the capacity of,

advertising, or assuming to act, as real estate broker in the State of California within the meaning of Section 10131(d) (soliciting borrowers or lenders or negotiating loans) and Section 10131.2 (advance fee handling). 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 Code Section 10086.

FINDINGS OF FACT

1. At no time herein mentioned has GOLDEN KEY; GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; DANIEL PEDRO HERNANDEZ ("HERNANDEZ"); or FABIAN VALDEZ ("VALDEZ") been licensed by the Bureau in any capacity.

2. Whenever acts referred to below are attributed to GOLDEN KEY, those acts are alleged to have been done by GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; HERNANDEZ; or VALDEZ, acting alone, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to each of those named herein, and using a fictitious name(s) unknown at this time.

3. At the times set forth below, GOLDEN KEY, GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; HERNANDEZ; and VALDEZ engaged in the business of, acted in the capacity of, or advertised loan modification and/or foreclosure

rescue services offering to perform and performing loan modification or negotiation services with respect to loans which were secured by liens on real property for compensation or in expectation of compensation and for fees collected in advance of the transaction, including but not limited to the activities described below.

a. On or about August 3, 2010, Luis A. paid to DANIEL HERNANDEZ on behalf of GOLDEN KEY an initial advance fee of $1,500. Thereafter, on or about December 23, 2010, Luis A. paid HERNANDEZ an additional advance fee of $4,000. On or about February 4, 2011, Luis A. paid HERNANDEZ a final advance fee of $3,000. The total amount of advance fees paid by Luis A. was $8,500. The advance fees were collected and paid pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by HERNANDEZ and/or GOLDEN KEY with respect to a loan secured by the real property located at 38550-33rd Street East, Palmdale, California 93550.

b. On or about March 8, 2011, Francisco T. paid an initial advance fee of $1,000 to HERNANDEZ and VALDEZ on behalf of GOLDEN KEY. Thereafter, on or about April 28, 2011, Francisco T. paid HERNANDEZ and VALDEZ an additional advance fee in the amount of $1,950. On or about June 1, 2011, Francisco T. paid HERNANDEZ and VALDEZ a further advance fee of $950, and on June 6, 2011, Francisco T. paid HERNANDEZ and VALDEZ a final advance fee of $1,000. The total amount of advance fees paid by

Francisco T. was $5,900. The advance fees were collected and paid pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by HERNANDEZ, VALDEZ and/or GOLDEN KEY with respect to a loan secured by the real property located at 10144 Saloma Avenue, Mission Hills, California 91345.

c. On or about April 4, 2011, Jaime A. paid an initial advance fee of $6,000 to VALDEZ on behalf of GOLDEN KEY. Thereafter, on or about August 6, 2011, Jaime A. paid VALDEZ an additional advance fee in the amount of $1,000. On or about August 16, 2011, Jaime A. paid VALDEZ a final advance fee of $500. The total amount of advance fees paid by Francisco T. was $7,500. The advance fees were collected and paid pursuant to the provisions of an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by VALDEZ and/or GOLDEN KEY with respect to a loan secured by the real property located at 4024 Maris Avenue, Pico Rivera, California 90060.

CONCLUSIONS OF LAW

4. Based on the information contained in Paragraphs 2 and 3, above, GOLDEN KEY; GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; HERNANDEZ; and VALDEZ performed and/or participated in loan solicitation, negotiation and modification activities as well as advance fee handling which require a real estate broker license under the provisions of

Code Sections 10131(d) and 10131.2 during a period of time when none of them licensed by the Bureau as a real estate broker nor employed as a real estate salesperson by the broker on whose behalf the activities were performed, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

IT IS HEREBY ORDERED THAT GOLDEN KEY; GOLDEN KEY GLENDALE BRANCH; GOLDEN KEY SERVICES; GOLDEN KEY SERVICES LLC; GOLDEN KEY FINANCIAL; GOLDEN KEY FINANCIAL SERVICES; DANIEL PEDRO HERNANDEZ; and FABIAN VALDEZ, whether doing business under their own names, or any other names, or any fictitious name, 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 each of them is ORDERED TO DESIST AND REFRAIN from:

(i) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in 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 or fewer dwelling units (Code Section 10085.6); and

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(ii) 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: MARCH 13, 2014.

REAL ESTATE COMMISSIONER

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)."