Bureau of Real Estate
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FILED

MAY 12 2014

BUREAU OF REAL ESTATE

By

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

To:	No. H-39447 LA
EZ PROCESSING, INC.	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 EZ PROCESSING, INC. ("Respondent"). Based on that investigation the Commissioner has determined that Respondent has engaged in or represented to the public through advertisements that Respondent could perform loan processor or underwriter activities for residential mortgage loans within the meaning of Business and Professions Code ("Code") Section 10166.03(c), at a time when Respondent has not obtained and maintained an endorsement as a mortgage loan originator or a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry.

In addition, based on that investigation, the Commissioner has determined that Respondent has engaged in or is engaging in acts or is attempting to engage in practices constituting violations of the Code. 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. From August 2, 2013 through the present, Respondent has been licensed and/or has license rights by the Bureau as a real estate corporation, License ID 01906380. At all times relevant herein, Respondent did not maintain an unique mortgage loan originator ("MLO") license endorsement.

2. From August 17, 2007 through the present, Jorge Roque Almaguer ("Almaguer") has been licensed and/or has license rights by the Bureau as a real estate broker, License ID 0129310. At all times relevant herein, Almaguer did not maintain an unique MLO license endorsement that allowed him to engage in activities requiring a MLO license endorsement while doing business as Respondent.

3. From August 2, 2013 through the present, Respondent has been authorized to act by and through Almaguer as its broker designated pursuant to Code Section 10159.2 to be responsible for ensuring compliance with the Real Estate Law. Almaguer is also the Secretary of Respondent.

4. For an unknown period of time starting no later than September 12, 2013, Respondent advertised and offered to perform loan processor services for others on the following website: http://ezprocessinginc.com.

5. On September 17, 2013, a special investigator for the Bureau sent a letter to Respondent and Almaguer advising them that advertisements on Respondent's website were in violation of the Real Estate Law. Respondent was advised to discontinue said advertisements.

6. On September 30, 2013, Almaguer signed a letter addressed to the Bureau's investigator stating that the advertisements on Respondent's website had been removed.

7. On October 8, 2013, the Bureau's investigator searched Respondent's website: http://ezprocessinginc.com and discovered that the advertisements still appeared on that website.

8. On or about October 8, 2013, a special investigator for the Bureau telephoned the business phone number listed on Respondent's website and spoke with Joy Rodriguez, a representative for Respondent. The Bureau's investigator claimed to be a mortgage broker seeking loan processing services from Respondent. Joy Rodriguez stated that Respondent offered loan processing services for purchase and refinance loans including, but not limited to, FHA, VA, Cal-Vet, USDA, and reverse mortgages for a fee of $695 per loan.

CONCLUSIONS OF LAW

1. Code Section 10166.03 states:

> (a) A loan processor or underwriter who does not represent to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items, that the individual can or will perform any of the activities of a mortgage loan originator shall not be required to obtain a license endorsement as a mortgage loan originator.
>
> (b) An individual engaging solely in loan processor or underwriter activities shall not represent to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items, that the individual can or will perform any of the activities of a mortgage loan originator.
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> (c) An independent contractor who is employed by a mortgage loan originator may not engage in the activities of a loan processor or underwriter for a residential mortgage loan unless the independent contractor loan processor or underwriter obtains and maintains an endorsement as a mortgage loan originator under this article. Each independent contractor loan processor or underwriter who obtains and maintains an endorsement as a mortgage loan originator under this article shall have and maintain a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry.

2. Based on the information contained in Findings of Fact, paragraphs 1 through 8, above, EZ PROCESSING, INC. violated Code Section 10166.03(c) by engaging in, advertising, or

offering to perform loan processor or underwriter activities that require a MLO license endorsement without first obtaining a MLO license endorsement or a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, IT IS HEREBY ORDERED THAT EZ PROCESSING, INC. whether doing business in their own name or any other fictitious business name, immediately desist and refrain from performing any acts within the State of California for which a MLO license endorsement is required, unless you are so licensed.

DATED: April 29, 2014.

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)."

cc: EZ Processing, Inc.
13128 Philadelphia St.
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