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Bureau of Real Estate
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FILED

JUN 08 2015

BUREAU OF REAL ESTATE

By [signature]

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

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To: ALL STAY LIMITED LIABILITY COMPANY; SALVADOR OCHOA, JR.; and JAMES DANIEL	NO. H-39858 LA ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Commissioner ("Commissioner") of the California Bureau of Real Estate ("Bureau" or "BRE") caused an investigation to be made of the activities of ALL STAY LIMITED LIABILITY COMPANY ("ASLLC"), SALVADOR OCHOA, JR. ("OCHOA"), and JAMES DANIEL ("DANIEL"). Based on that investigation, the Commissioner has determined that ASLLC, OCHOA, and DANIEL, and/or any other fictitious business names used by ASLLC, OCHOA, and/or DANIEL 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, real estate brokers 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 ASLLC, those acts are alleged to have been done by ASLLC, acting by itself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to OCHOA and/or DANEL, and using the name "ALL STAY LIMITED LIABILITY COMPANY," or other fictitious names unknown at this time.

Whenever acts referred to below are attributed to OCHOA, those acts are alleged to have been done by OCHOA, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to ASLLC and/or DANIEL and using the name "ALL STAY LIMITED LIABILITY COMPANY" or other fictitious names unknown at this time.

Whenever acts referred to below are attributed to DANIEL, those acts are alleged to have been done by DANIEL, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including but not limited to ASLLC and/or OCHOA, and using the name "ALL STAY LIMITED LIABILITY COMPANY" or other fictitious names unknown at this time.

FINDINGS OF FACT

1. ALL STAY LIMITED LIABILITY COMPANY is not now, and has never been licensed by the Bureau in any capacity. On or about October 15, 2010, ALL STAY LIMITED LIABILITY COMPANY filed with the Secretary of State of California its Limited Liability

Company Articles of Organization, in which SALVADOR OCHOA, JR. was listed as the agent for service of process, and 2567 Tweedy Blvd., #D, South Gate, CA 90280 was listed as its address. On or about January 18, 2011, ASLLC filed with the Secretary of State of California its Statement of Information, in which the same Tweedy Blvd. address was listed, and in which OCHOA was named the Chief Executive Officer. On or about November 28, 2011, ASLLC filed with the Secretary of State of California a subsequent Statement of Information, in which the same Tweedy Blvd. address was listed, and in which OCHOA was listed as Manager; the box for Chief Executive Officer was left blank. ASLLC's Secretary of State file number is 201029110233.

2. SALVADOR OCHOA, JR. is licensed by the Bureau as a real estate salesperson, BRE license ID number 01201957.

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

4. ASLLC, OCHOA, and DANIEL 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. ASLLC, OCHOA, and DANIEL advertised their services on the website http://allstayllc.com/, the registered owner of which is an individual by the name of Sal Ochoa.

John R.'s Transaction

5. On or about July 29, 2013, John R. signed an agreement ("Agreement") with ASLLC for loan modification services for his real property located on Monique Lane in Spring Valley, California ("Monique Lane property"). The Agreement listed ASLLC's address as 1105 E.

Commonwealth Ave., Fullerton, CA 92833 and listed a "Broker License Number" of 01162944[1] with no broker name attached to the license number. Included in the Agreement was a third party authorization signed by John R. which authorized his lender to release and provide information to JAMES DANIEL of ALL STAY LIMITED LIABILITY COMPANY.

6. On August 1, 2013, John R. made a PayPal payment of $1,400 to ASLLC (sal@allstayllc.om); on September 3, 2013, John R. made a second PayPal payment to ASLCC (sal@allstayllc.com), in the amount $1,500.

7. After multiple assurances by DANIEL to John R. regarding his communications with John R.'s lender, DANIEL ceased to return John R.'s phone calls, emails, and faxes after November 18, 2013. In December 2013, John R. called his lender directly and discovered that no loan modification work had been done.

8. On February 6, 2014, John R. drove to ASLLC's address as listed on the July 29, 2013 Agreement and found the office was closed. John R. called the owner of the building and learned that ASLLC continued to occupy the office on Commonwealth Ave.

CONCLUSIONS OF LAW

9. Based on the findings of fact contained in paragraphs 1 through 8, ASLLC, acting by itself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to OCHOA and/or DANIEL and using the name "ALL STAY LIMITED LIABILITY COMPANY" 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

[1] A search of the BRE's records for license numbers 01162944 and 1162944 produced no matches.

when ASLLC was not licensed by the Bureau as a real estate broker, a violation of Code Section 10130.

10. Based on the findings of fact contained in paragraphs 1 through 9, OCHOA, acting by himself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to ASLCC and/or DANIEL and using the name "ALL STAY LIMITED LIABILITY COMPANY" 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 OCHOA 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, DANIEL, acting by himself, or by and/or through one or more agents, associates, representatives, and/or co-conspirators, including, but not limited to ASLLC and/or OCHOA, and using the name "ALL STAY LIMITED LIABILITY COMPANY" 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 DANIEL 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 ALL STAY LIMITED LIABILITY COMPANY, SALVADOR OCHOA, JR., and JAMES DANIEL, whether doing business under their own names or any other name(s) or fictitious name(s), including, but not limited to "ALL STAY LIMITED LIABILITY COMPANY" 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 they 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: MAY 22, 2015.

Wayne S. Bell
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: All Stay Limited Liability Company
Salvador Ochoa, Jr.
James Daniel