

FLAG

1 Bureau of Real Estate  
320 West Fourth Street, Ste. 350  
2 Los Angeles, California 90013

3 Telephone: (213) 576-6982

**FILED**

MAR 15 2016

BUREAU OF REAL ESTATE  
By *[Signature]*

BUREAU OF REAL ESTATE  
STATE OF CALIFORNIA

\*\*\*\*\*

11 To:	)	No. H-40169 LA
	)	
12 JC FINANCIAL CONSULTING, INC.	)	<u>ORDER TO DESIST</u>
	)	<u>AND REFRAIN</u>
	)	(B&P Code Section 10086)
	)	
15 _____	)	

17 The Commissioner ("Commissioner") of the California Bureau of Real Estate  
18 ("Bureau") caused an investigation to be made of the activities of JC FINANCIAL  
19 CONSULTING, INC. ("JC FINANCIAL"), and has determined that it has engaged in or is  
20 engaging in acts or practices constituting violations of the California Business and Professions  
21 Code ("Code") including engaging in the business of, acting in the capacity of, or assuming to  
22 act, as a real estate broker in the State of California within the meaning of Section 10131(d)  
23 (soliciting borrowers or lenders or negotiating loans) and Section 10131.2 (advance fee  
24 handling). Based on the findings of that investigation, as set forth below, the Commissioner  
25 hereby issues the following Findings of Fact, Conclusions of Law and Desist and Refrain Order  
26 pursuant to Code Section 10086.

1 FINDINGS OF FACT

2 1. At no time herein mentioned has JC FINANCIAL been licensed by the  
3 Bureau in any capacity.

4 2. Whenever acts referred to below are attributed to JC FINANCIAL, those acts  
5 are alleged to have been done by JC FINANCIAL, acting alone, or by and/or through one or  
6 more agents, associates, affiliates, and/or co-conspirators, including but not limited to each of  
7 those named herein, and using a fictitious name(s) unknown at this time.

8 3. At the time set forth below, JC FINANCIAL engaged in the business of, acted  
9 in the capacity of, or advertised loan modification and/or foreclosure rescue services offering to  
10 perform and performing loan modification or negotiation services with respect to loans which  
11 were secured by liens on real property for compensation or in expectation of compensation and  
12 for fees collected in advance of the transaction, including but not limited to the activities  
13 described below.

14 4. In or around September, 2013, consumer Greg I. ("Consumer") consulted with  
15 JC FINANCIAL about obtaining a loan modification of the mortgage loan on his property  
16 located at 15769 Silverpointe Avenue, Chino Hills, California. JC FINANCIAL represented to  
17 Consumer that it could negotiate a reduction in his monthly mortgage payment to \$1,800,  
18 including principal, interest and taxes. Consumer thereafter entered into an agreement with JC  
19 FINANCIAL whereby JC FINANCIAL agreed to provide loan modification and related  
20 foreclosure avoidance services in exchange for the payment of an advance fee in the amount of  
21 \$4,500. On or about October 9, 2013, Consumer made an advance fee payment of \$2,250 to JC  
22 FINANCIAL. Consumer made an additional advance fee payment to JC FINANCIAL in the  
23 amount of \$2,270 on or about November 19, 2013. Despite the foregoing, JC FINANCIAL failed  
24 to obtain the mortgage payment reduction promised to Consumer. Further, JC FINANCIAL  
25 failed to refund any portion of the advance fee paid by Consumer other than a single refund  
26 payment in the amount of \$250, which JC FINANCIAL made on or about November 18, 2014.

1 CONCLUSIONS OF LAW

2 5. Based on the information contained in Paragraphs 1 through 4, inclusive,  
3 above, JC FINANCIAL performed and/or participated in loan solicitation, negotiation and  
4 modification activities as well as advance fee handling which require a real estate broker license  
5 under the provisions of Code Sections 10131(d) and 10131.2 during a period of time when it  
6 was not licensed by the Bureau as a real estate broker nor employed as a real estate salesperson  
7 by the broker on whose behalf the activities were performed, all of which is in violation of  
8 Section 10130 of the Code.

9 DESIST AND REFRAIN ORDER

10 IT IS HEREBY ORDERED THAT JC FINANCIAL CONSULTING, INC.,  
11 whether doing business under its own name, or any other name, or any fictitious name, IS  
12 HEREBY ORDERED to immediately desist and refrain from performing any acts within the  
13 State of California for which a real estate broker license is required. In particular JC  
14 FINANCIAL CONSULTING, INC. is ORDERED TO DESIST AND REFRAIN from:

15 (i) charging, demanding, claiming, collecting and/or receiving advance fees,  
16 as that term is defined in Section 10026 of the Code, in any form, and under any conditions,  
17 with respect to the performance of loan modifications or any other form of mortgage loan  
18 forbearance service in connection with loans on residential property containing four or fewer  
19 dwelling units (Code Section 10085.6); and

20 (ii) charging, demanding, claiming, collecting and/or receiving advance fees,  
21 as that term is defined in Section 10026 of the Code, for any other real estate related services  
22 offered by it to others.

23 DATED: MARCH 1, 2016.

24 REAL ESTATE COMMISSIONER

25 

26 By: JEFFREY MASON  
27 Chief Deputy Commissioner

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**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: JC FINANCIAL CONSULTING, INC.