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DEPARTMENT OF REAL ESTATE

By R. Henry

9 STATE OF CALIFORNIA

10 DEPARTMENT OF REAL ESTATE

11 To:)
12 JOSE LUIS RUIZ)
13)
14)

NO. H-4061 SD

ORDER TO DESIST AND REFRAIN
(B&P Code Section 10086)

15 The Commissioner (hereinafter "Commissioner") of the California Department of
16 Real Estate (hereinafter "Department") caused an investigation to be made of the activities of
17 JOSE LUIS RUIZ (hereinafter "RUIZ"). Based on that investigation, the Commissioner has
18 determined that RUIZ has engaged in, is engaging in, or is attempting to engage in, acts or
19 practices constituting violations of the California Business and Professions Code (hereinafter
20 "the Code") and/or Title 10, Chapter 6, California Code of Regulations (hereinafter "the
21 Regulations"), including the business of, acting in the capacity of, and/or advertising or assuming
22 to act as, a real estate broker in the State of California within the meaning of Section 10131(d)
23 (performing services for borrowers and/or lenders in connection with loans secured by real
24 property) of the Code. Furthermore, based on the investigation, the Commissioner hereby issues
25 the following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the
26 authority of Section 10086 of the Code.

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1 fictitious names unknown at this time, solicited borrowers and represented that he would perform
2 services for those borrowers and/or the borrowers' lender in connection with one or more loans
3 secured directly or collaterally by one or more liens on real property; and charged, demanded or
4 collected an advance fee for the services to be provided, which acts require a real estate broker
5 license under Sections 10131(d) (performing services for borrowers and/or lenders in connection
6 with loans secured by real property) and 10131.2 (claiming, demanding, charging, receiving,
7 collecting or contracting for the collection of an advance fee in connection with any employment
8 undertaken to obtain a loan secured by real property) of the Code, all in violation of Sections
9 10130 (it is unlawful for any person to act as a real estate broker within this state without first
10 obtaining a real estate license from the Department), 10137 (no real estate salesperson shall
11 accept compensation from any person other than the broker under whom he is at the time
12 licensed) and 10139 (any person acting as a real estate broker without a license or who
13 advertises using words indicating that he is a real estate broker without being so licensed shall be
14 guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000),
15 or by imprisonment in the county jail for a term not to exceed six months, or by both fine and
16 imprisonment) of the Code.

17 DESIST AND REFRAIN ORDER

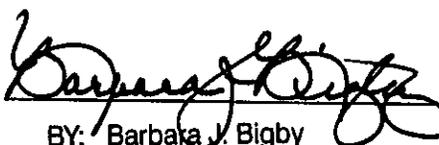
18 Based on the Findings of Fact and Conclusions of Law stated herein, you, JOSE
19 LUIS RUIZ, whether doing business under your own name, or any other name or fictitious name,
20 ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within
21 the State of California for which a real estate broker license is required. In particular, you are
22 ordered to desist and refrain from:

23 1. charging, demanding, claiming, collecting and/or receiving advance fees, as
24 that term is defined in Section 10026 of the Code, in any form, and under any condition, with
25 respect to the performance of loan modifications or any other form of mortgage loan forbearance
26 service in connection with loans on residential property containing four or fewer dwelling units
27 (Code Section 10085.6), and;

1 2. charging, demanding, claiming, collecting and/or receiving advance fees, as
2 that term is defined in Section 10026 of the Code, for any other real estate related services
3 offered by you to others.

4
5 DATED: 1/13/2010

6 JEFF DAVI
7 Real Estate Commissioner

8
9 By 
10 BY: Barbara J. Bigby
11 Chief Deputy Commissioner