

LAG

1 Department of Real Estate
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3 Los Angeles, California 90013
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FILED

JUN - 5 2009

DEPARTMENT OF REAL ESTATE
BY: [Signature]

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

11 To:)	No. H-36029 LA
)	
12 ANDREW LUGO,)	<u>ORDER TO DESIST</u>
)	<u>AND REFRAIN</u>
)	(B&P Code Section 10086)
14 Respondent.)	
15 _____)	

16 The Commissioner ("Commissioner") of the California
 17 Department of Real Estate ("Department") caused an investigation
 18 to be made of the activities of ANDREW LUGO ("LUGO"), and has
 19 determined that LUGO has engaged in or is engaging in acts or
 20 practices constituting violations of the California Business and
 21 Professions Code ("Code") and/or Title 10, California Code of
 22 Regulations ("Regulations") including engaging in the business
 23 of, acting in the capacity of, advertising, or assuming to act,
 24 as real estate broker in the State of California within the
 25 meaning of Section 10131(d) (soliciting borrowers or lenders or
 26 negotiating loans). Based on the findings of that investigation,
 27 as set forth below, the Commissioner hereby issues the following

1 Findings of Fact and Desist and Refrain Order pursuant to Section
2 10086 of the Code.

3 FINDINGS OF FACT

4 1. LUGO is presently licensed and/or has license
5 rights under the Real Estate Law (Part 1 of Division 4 of the
6 Code) as a real estate salesperson.

7 2. On or about March 12, 2009, LUGO engaged in the
8 business of negotiating, or offering to negotiate, loan
9 modifications in connection with loans secured directly or
10 collaterally by liens on real property for compensation or in
11 expectation of compensation from a real estate broker other than
12 the broker who then employed him.

13 CONCLUSIONS OF LAW

14 3. Based on the information contained in Paragraph
15 2, above, LUGO performed and/or participated in loan
16 modification activities which require a real estate broker
17 license under the provisions of Code Section 10131(d) during a
18 period of time when LUGO was not licensed by the Department as a
19 real estate broker nor employed as a real estate salesperson by
20 the broker on whose behalf the activities were performed.

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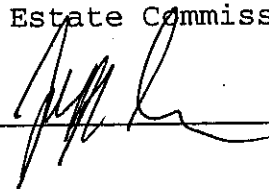
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1 DESIST AND REFRAIN ORDER

2 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW
3 stated herein, it is hereby ordered that ANDREW LUGO immediately
4 desist and refrain from performing any acts within the State of
5 California for which a real estate broker license is required,
6 and in particular, that he immediately desist and refrain from
7 providing or participating in loan modification services unless
8 and until he obtains an appropriate license issued by the
9 Department.

10
11 DATED: 6-3, 2009.

12
13 JEFF DAVI
14 Real Estate Commissioner

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16 _____

17 **Notice:** Business and Professions Code Section 10139 provides
18 that "Any person acting as a real estate broker or real estate
19 salesperson without a license or who advertises using words
20 indicating that he or she is a real estate broker without being
21 so licensed shall be guilty of a public offense punishable by a
22 fine not exceeding twenty thousand dollars (\$20,000), or by
23 imprisonment in the county jail for a term not to exceed six
24 months, or by both fine and imprisonment; or if a corporation, be
25 punished by a fine not exceeding sixty thousand dollars
26 (\$60,000)."

24 cc: Andrew Lugo
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