

By C. [Signature]

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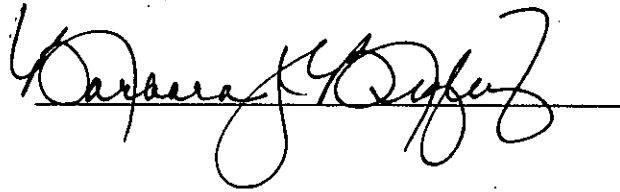
DISMISSAL

The Department of Real Estate filed an Order to Desist and Refrain against Respondent ARMANDO FELIPE PEREZ on August 18, 2011. Respondent ARMANDO FELIPE PEREZ deceased on July 25, 2011. Based thereon, the Order to Desist and Refrain

1 against Respondent ARMANDO FELIPE PEREZ is hereby DISMISSED.

2 IT IS SO ORDERED 12/21/11.

3 BARBARA J. BIGBY
4 Acting Real Estate Commissioner

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FILED
AUG 18 2011
DEPARTMENT OF REAL ESTATE

By CR

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * * *

11 To:)	No. H-37453 LA
)	
12 GROUP BANKERS FUNDING, INC.;)	<u>ORDER TO DESIST</u>
13 INFINITY REAL ESTATE AND)	<u>AND REFRAIN</u>
14 HOME LOANS; INFINITY)	
15 PROFESSIONAL SERVICES LOANS;)	(B&P Code Section 10086)
16 INFINITY PROFESSIONAL SERVICE;)	
17 GREEN LIGHT INVESTMENTS;)	
18 CENTRO LEGAL LA LEY;)	
19 CLUB MUJERES EXITOS;)	
20 ARMANDO FELIPE PEREZ;)	
21 ADELA VARGAS; SILVIO PRIETO;)	
VENANCIO R. BEBERAJE;)	
22 RAFAEL HERNANDEZ;)	
23 SERGIO SANTIBANEZ; and)	
24 JAVIER TELLEZ.)	
)	
)	

22 The Commissioner ("Commissioner") of the California Department of Real Estate
23 ("Department") caused an investigation to be made of the activities of GROUP BANKERS
24 FUNDING, INC.; INFINITY REAL ESTATE AND HOME LOANS; INFINITY
25 PROFESSIONAL SERVICES LOANS; INFINITY PROFESSIONAL SERVICE; GREEN
26 LIGHT INVESTMENTS; CENTRO LEGAL LA LEY; CLUB MUJERES EXITOS;
27 ARMANDO FELIPE PEREZ; ADELA VARGAS; SILVIO PRIETO; VENANCIO R.

1 BEBERAJE; RAFAEL HERNANDEZ; SERGIO SANTIBANEZ; and JAVIER TELLEZ
2 (sometimes collectively referred to as "Respondents.") Based on that investigation the
3 Commissioner has determined that Respondents have engaged in or are engaging in acts or
4 attempting to engage in the business of, acting in the capacity of, and/or advertising or assuming
5 to act as real estate brokers in the State of California within the meaning of Business and
6 Professions Code Sections 10131(a) (solicit prospective sellers or purchasers of or negotiate the
7 purchase, sale or exchange of real property) and 10131(d) (solicit borrowers for or negotiate
8 loans or perform services for borrowers in connection with loans secured by liens on real
9 property).

10 In addition, based on that investigation, the Commissioner has determined that
11 Respondents have engaged in or are engaging in acts or are attempting to engage practices
12 constituting violations of the California Business and Professions Code ("Code") and/or Title 10,
13 California Code of Regulations ("Regulations"). Based on the findings of that investigation, set
14 forth below, the Commissioner hereby issues the following Findings of Fact, Conclusions of
15 Law, and Desist and Refrain Order under the authority of Code Section 10086.

16 FINDINGS OF FACT

17 1. From January 16, 2007, through January 15, 2011, GROUP BANKERS
18 FUNDING, INC. ("GBFI") was licensed by the Department of Real Estate ("Department") as a
19 real estate corporation, Department License No. 01783077. At all times relevant herein, GBFI
20 was licensed to do business as California First Realty and Home Loans and Infinity Financial
21 Group.

22 2. From September 28, 1992, through the present, ARMANDO FELIPE PEREZ
23 ("PEREZ") has been licensed by the Department as a real estate broker, Department License No.
24 00646553. From on or about November 5, 2007, through January 15, 2011, PEREZ was
25 licensed as a real estate broker and as the broker-officer of GBFI to be responsible for ensuring
26 its compliance with the Real Estate Law pursuant to Code Section 10159.2.

27 3. At no time mentioned herein have VENANCIO R. BEBERAJE, ADELA

1 VARGAS or RAFAEL HERNANDEZ ever been licensed by the Department in any capacity.

2 4. On August 15, 2006, VENANCIO R. BEBERAJE, ADELA VARGAS and
3 RAFAEL HERNANDEZ formed GBFI, a California corporation. VENANCIO R. BEBERAJE
4 is GBFI's chief executive officer, secretary and agent for service of process. VENANCIO R.
5 BEBERAJE, ADELA VARGAS and RAFAEL HERNANDEZ are officers or directors for
6 GBFI.

7 5. All further references to GBFI include the parties listed in Paragraphs 1
8 through 4, above, as well as the officers, agents and employees of the parties listed in Paragraphs
9 1 through 4, above. GBFI engaged in the activities set forth below while doing business as GBFI,
10 INFINITY PROFESSIONAL SERVICES, INFINITY PROFESSIONAL SERVICES LOANS,
11 INFINITY PROFESSIONAL SERVICE, INFINITY REAL ESTATE AND HOME LOANS,
12 GREEN LIGHT INVESTMENTS, CENTRO LEGAL LA LEY, and CLUB MUJERES
13 EXITOS.

14 6. At no time mentioned herein have INFINITY PROFESSIONAL SERVICES,
15 INFINITY PROFESSIONAL SERVICES LOANS, INFINITY PROFESSIONAL SERVICE,
16 INFINITY REAL ESTATE AND HOME LOANS, GREEN LIGHT INVESTMENTS,
17 CENTRO LEGAL LA LEY, AND CLUB MUJERES EXITOS ever been licensed by the
18 Department in any capacity.

19 7. At all times herein mentioned, GBFI engaged in the business of, acted in the
20 capacity of, advertised or assumed to act as real estate brokers in the State of California, by
21 doing or negotiating to do the following acts for another or others, for compensation or in
22 expectation of compensation: (1) sell or offer to sell, solicit prospective sellers or purchasers of,
23 solicit or obtain listings of, or negotiate the purchase, sale or exchange of real property within the
24 meaning of Code Section 10131(a); and (2) solicit borrowers, negotiate loans, collect payments
25 or perform services for borrowers in connection with loans secured directly or collaterally by
26 liens on real property within the meaning of Code Section 10131(d).

8. For an unknown period of time beginning no later than July 30, 2008, GBFI engaged in the business of soliciting to modify or negotiate loans secured by real property, offering to negotiate the purchase, sale or exchange of real property, and claimed, demanded, charged, received, collected or contracted for the collection of advance fees, within the meaning of Code Section 10026, for borrowers including, but not limited to, those listed below:

DATE	BORROWER	ADVANCE FEE COLLECTED
July 30, 2008	Gilberto C.	\$2,400
Aug. 4, 2008	Rafael E.	\$2,500
Nov. 15, 2008	Aroon B.	\$2,727
Jan. 2, 2009	Francisco M.	\$2,700
Feb. 19, 2010	Maria O.	\$4,375
June 18, 2010	Manuel C.	\$3,500
June 22, 2010	Elizabeth G.	\$5,000
Oct. 11, 2010	Jose D. T.	\$3,500

9. GBFI charged and collected the advance fees described in Paragraph 8, above, for soliciting to perform loan negotiation and modification services for borrowers in connection with loans secured by real property, which constitutes an advance fee within the meaning of Code Section 10026.

10. GBFI failed to perform the loan modification and negotiation services that had been promised to the borrowers mentioned in Paragraph 8, above. GBFI refused the borrowers' demands for a refund of their advance fees.

11. At no time mentioned herein have SILVIO PRIETO, SERGIO SANTIBANEZ and JAVIER TELLEZ ever been licensed by the Department in any capacity.

12. The activities described in Paragraph 8, above, require a real estate license under Code Sections 10131(a) and 10131(d). GBFI employed and/or compensated individuals including, but not limited to, SILVIO PRIETO, SERGIO SANTIBANEZ and JAVIER TELLEZ,

1 who were not licensed as real estate salespersons or as brokers to perform activities requiring a
2 license. GBFI employed or compensated SILVIO PRIETO, SERGIO SANTIBANEZ and
3 JAVIER TELLEZ, to solicit borrowers and perform some or all of the services alleged in
4 Paragraph 8, above, though they were not licensed as a real estate salesperson or broker.

5 13. For the transactions described in Paragraph 8, above, that occurred prior to
6 October 11, 2009, the advance fee agreements that were provided to those borrowers were not
7 submitted to the Department prior to use as is required under Code Section 10085 and
8 Regulation 2970.

9 14. GBFI failed to furnish a verified copy of accounting content which includes
10 identification of the trust fund account into which the advance fee had been deposited,
11 description of services rendered, the amount allocated or disbursed from the advance fee at the
12 end of each calendar quarter and when the contract has been completely performed by the
13 licensee, as required under Code Section 10146 and Regulation 2972.

14 15. For those transactions described in Paragraph 8, above, that occurred after
15 October 11, 2009, GBFI charged and collected advance fees as compensation for offering to
16 perform loan modification or other form of loan forbearance for said borrowers, in violation of
17 Code Sections 10085.5 and 10085.6

18 CONCLUSIONS OF LAW

19 16. Based on the information contained in Paragraphs 1 through 15, above,
20 GROUP BANKERS FUNDING, INC. and ARMANDO FELIPE PEREZ violated Code Section
21 10085 and Regulation 2970 by failing to submit advance fee agreements and materials to the
22 Department prior charging and collecting advance fees from any person.

23 17. Based on the information contained in Paragraphs 1 through 15, above,
24 GROUP BANKERS FUNDING, INC. and ARMANDO FELIPE PEREZ violated Code Section
25 10146 and Regulation 2972 by failing to furnish a verified copy of accounting content which
26 includes identification of the trust fund account into which the advance fee had been deposited,
27 description of services rendered, the amount allocated or disbursed from the advance fee at the

1 end of each calendar quarter and when the contract has been completely performed by the
2 licensee.

3 18. Based on the information contained in Paragraphs 1 through 15, above,
4 GROUP BANKERS FUNDING, INC. and ARMANDO FELIPE PEREZ violated Code Section
5 10085.6 by charging and collecting advance fees or other compensation in advance from
6 borrowers for performing mortgage loan modifications or other forms of mortgage loan
7 forbearance.

8 19. Based on the information contained in Paragraphs 1 through 15, above,
9 INFINITY REAL ESTATE AND HOME LOANS; INFINITY PROFESSIONAL SERVICES
10 LOANS; INFINITY PROFESSIONAL SERVICE; GREEN LIGHT INVESTMENTS;
11 CENTRO LEGAL LA LEY; CLUB MUJERES EXITOS; ADELA VARGAS; SILVIO
12 PRIETO; VENANCIO R. BEBERAJE; RAFAEL HERNANDEZ; SERGIO SANTIBANEZ;
13 and JAVIER TELLEZ violated Code Section 10130 by engaging in activities requiring a real
14 estate license without first obtaining a broker license from the Department.

15 DESIST AND REFRAIN ORDER

16 Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated
17 herein, IT IS HEREBY ORDERED THAT INFINITY REAL ESTATE AND HOME LOANS;
18 INFINITY PROFESSIONAL SERVICES LOANS; INFINITY PROFESSIONAL SERVICE;
19 GREEN LIGHT INVESTMENTS; CENTRO LEGAL LA LEY; CLUB MUJERES EXITOS;
20 ADELA VARGAS; SILVIO PRIETO; VENANCIO R. BEBERAJE; RAFAEL HERNANDEZ;
21 SERGIO SANTIBANEZ; and JAVIER TELLEZ immediately desist and refrain from:
22 performing any acts within the State of California for which a real estate broker license is
23 required, unless you are so licensed.

24 IT IS FURTHER ORDERED THAT GROUP BANKERS FUNDING, INC. and
25 ARMANDO FELIPE PEREZ, whether doing business under their own names or any other
26 fictitious names, ARE HEREBY ORDERED TO:
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1 1. Immediately desist and refrain from charging, demanding, claiming, collecting
2 and/or receiving advance fees, as that term is defined in Code Section 10026, in any form, and
3 under any conditions, with respect to the performance of loan modification or any other form of
4 mortgage loan forbearance services in connection with loans on residential property containing
5 four or fewer dwelling units (Code Section 10085.6).

6 2. Immediately desist and refrain from charging, demanding, claiming, collecting
7 and/or receiving advance fees, as that term is defined in Code Section 10026, for any of the other
8 real estate related services offered to others, unless and until GROUP BANKERS FUNDING,
9 INC. and ARMANDO FELIPE PEREZ, and each of them, demonstrate and provide evidence
10 satisfactory to the Commissioner that each:

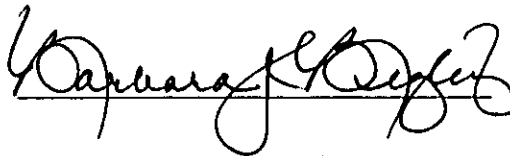
11 a. Has an advance fee agreement which has been submitted to the Department
12 and which is in compliance with Code Section 10085 and Regulation 2970;

13 b. Has placed all previously collected advance fees into a trust account for that
14 purpose and is in compliance with Code Section 10146; and

15 c. Has provided an accounting to trust fund owner-beneficiaries from whom
16 advance fees have previously been collected in compliance with Code Section 10146 and
17 Regulation 2972.

18 DATED: 7/28, 2011.

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20 BARBARA J. BIGBY
21 Acting Real Estate Commissioner

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25 **Notice:** Business and Professions Code Section 10139 provides that "Any person acting as a
26 real estate broker or real estate salesperson without a license or who advertises using words
27 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

1 imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars
2 (\$60,000)."
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11 cc: Group Bankers Funding, Inc./ Infinity Real Estate and Home Loans/ Infinity Professional
12 Services Loans/ Infinity Professional Service/ Centro Legal La Ley/ Club Mujeres Exitos/
13 Silvio Prieto/ Adela Vargas/Venancio R. Beberaje/ Rafael Hernandez

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