DEPARTMENT OF REAL ESTATE
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FILED

AUG 24 2010

DEPARTMENT OF REAL ESTATE

By L Henry

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	NO. H- 4136 SD
NATIONAL HOME SAVERS PRO, INC., and, ISABELL ROBERTA BRODSKY, an individual	**ORDER TO DESIST AND REFRAIN** (B&P Code Section 10086)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of NATIONAL HOME SAVERS PRO, INC., ("NATIONAL HOME SAVERS") and ISABELL ROBERTA BRODSKY, ("BRODSKY"). Based on the investigation, the Commissioner has determined NATIONAL HOME SAVERS and BRODSKY 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) and/or Title 10, Chapter 6, California Code of Regulations (Regulations), including the business of, acting in the capacity of, and/or advertising or assuming to act as, a real estate broker in the State of California within the meaning of Section 10131(d) (performing services for borrowers in connection with loans secured by real property) of the Code. Furthermore, based on the investigation, 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 NATIONAL HOME SAVERS, those acts are alleged to have been done by, BRODSKY, acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the name NATIONAL HOME SAVERS or other names or fictitious names unknown at this time.

FINDINGS OF FACT

1. At no time herein mentioned have NATIONAL HOME SAVERS been licensed by the Department in any capacity.

2. At all times relevant herein BRODSKY does not hold a real estate broker license issued by the California Department of Real Estate; but holds a real estate salesperson license so issued. BRODSKY, in conducting business under the NATIONAL HOME SAVERS business name, is doing so without the supervision of a real estate broker licensed by the Department of Real Estate.

3. During the period of time set out below, NATIONAL HOME SAVERS, acting by and through BRODSKY, and/or other agents, associates, affiliates, and/or co-conspirators solicited one or more borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: 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, in violation of Sections 10130 (real estate broker license required to perform certain acts), 10085.5 (real estate broker license required to charge or collect an advance fee), and 10139 (criminal penalties for unlicensed activity) of the Code.

4. On or about April 2, 2009, NATIONAL HOME SAVERS, acting through BRODSKY, entered into a written agreement with Peter P. and Cynthia L. P. (collectively "P.") to negotiate a loan modification concerning their real property located at 3472 Maroun Place, San Jose, California, in which NATIONAL HOME SAVERS would negotiate a loan modification for

P. and receive as its fee for loan modification services, the sum of $3,891.17, in violation of Sections 10130 (California real estate license required), 10085.5 (real estate broker license required to charge or collect an advance fee), and 10139 (criminal penalties for unlicensed activities) of the Code.

5. On or about March 15, 2009, NATIONAL HOME SAVERS, acting through BRODSKY, entered into a written agreement with Vanessa J. and Trinidad H. J. (collectively "J") to negotiate a loan modification concerning their real property located at 500 East Cypress Street, Santa Maria, California, in which NATIONAL HOME SAVERS would negotiate a loan modification for J. and receive as its fee for loan modification services, the sum of $3,234.00, and J. did pay to NATIONAL HOME SAVERS the sum of at least $3,234.00 via credit card with a posting dates of May 9, 2009, in violation of Sections 10130, 10085.5 (Unlawful acceptance of an Advanced Fee), and 10139 of the Code.

CONCLUSIONS OF LAW

6. Based on the findings of fact contained in paragraphs 1 through 5, above, NATIONAL HOME SAVERS, acting by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including BRODSKY and using the name NATIONAL HOME SAVERS PRO, INC., or other names or fictitious names unknown at this time, solicited one or more borrowers and performed services for those borrowers and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, acts which require a real estate license under Section 10131(d) of the Code, during a period of time when NATIONAL HOME SAVERS, and/or BRODSKY were not properly licensed by the Department.

DESIST AND REFRAIN ORDER

Based on the findings of fact and conclusions of law stated herein, NATIONAL HOME SAVERS PRO, INC., and ISABELL ROBERTA BRODSKY doing business under your own names, the corporate name NATIONAL HOME SAVERS PRO, INC., or any other names or fictitious names, ARE HEREBY ORDERED TO:

1. Immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular, you are ordered to desist and refrain from:

(i) soliciting borrowers and/or performing services for borrowers or lenders in connection with loans secured directly or collaterally by one or more liens on real property, and

(ii) from charging, demanding, or collecting an advance fee for any of the services you offer to others, unless and until you obtain a real estate broker license issued by the Department, and until you demonstrate and provide evidence satisfactory to the Commissioner that you are in full compliance with all of the requirements of the Code and Regulations relating to charging, collecting, and accounting for advance fees, including Section 10146 (place all previously collected advance fees into a trust account for that purpose) of the Code and Sections 2970 (an advance fee agreement must be submitted to the Department and be in compliance with the Regulations) and 2972 (must provide an accounting to trust fund owner-beneficiaries) of the Regulations.

DATED: 8-16, 2010

JEFF DAVI
Real Estate Commissioner

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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) . . ."

TO:

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