DEPARTMENT OF REAL ESTATE
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FILED

AUG 11 2009

DEPARTMENT OF REAL ESTATE

By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

TO: ANGELINE LISA LIZARRAGO, AVEMOS FINANCIAL GROUP, INC., and/or any other names or fictitious names	NO. H-10753 SF 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 ANGLELINE LISA LIZARRAGO (LIZARRAGO) and AVEMOS FINANCIAL GROUP, INC. (AFG). Based on that investigation, the Commissioner has determined that LIZARRAGO and AFG have engaged in acts or practices constituting violations of the California Business and Professions Code (Code), including Section 10137 (unlawful employment or payment of compensation) and/or Section 10177(d) in conjunction with Section 10130 (engaging in the business of advertising or assuming to act as a real estate broker without first obtaining a real estate license) and/or Section 2970 (requirements for advance fee agreements) and Section 2972 of Title 10, Chapter 6, California Code of Regulations (Regulations). 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.

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FINDINGS OF FACT

1. At no time herein mentioned has LIZARRAGO been licensed by the Department in any capacity.

2. LIZARRAGO was issued a Desist and Refrain Order in case H-1720 FR, filed on October 25, 2004, for conducting real estate activity without a license.

3. AFG is presently licensed by the Department as a real estate broker corporation, whose license is due to expire on March 10, 2010. AFG's license status is presently no broker affiliation.

4. Since about March 20, 2006, AFG has not had a main office location licensed with the Department or a broker/designated officer affiliated with its real estate corporation license.

5. Beginning on or about October 8, 2008, on behalf of AFG, LIZARRAGO solicited and/or performed services for borrowers and lenders for loans secured directly or collaterally by liens on real property for or in expectation of compensation, including, but not limited to:

HOMEOWNER	PROPERTY ADDRESS
Joseph Manipon Miranda	1154 Fox River Way, Ceres, California
Somboun Sisavath	7860 Manerside Drive, Sacramento, California
Dalila Gaulden	1757 Caleb Circle, Stockton, California

6. Beginning on or about October 8, 2008, on behalf of AFG, LIZARRAGO engaged in the business of demanding, charging, receiving, collecting or contracting for the collection of advance fees within the meaning of Sections 10026 of the Code including, but not limited to:

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HOMEOWNER	AMOUNT
Joseph Manipon Miranda	$3,020.00
Somboun Sisavath	$2,520.00
Dalila Gaulden	$4,516.50

JOSEPH MANIPON MIRANDA

7. On December 11, 2008, LIZARRAGO requested and received a check from Joseph Manipon Miranda (Miranda) for $1,520 to retain AFG's services for loan modification services. A contract was signed between Miranda and LIZARRAGO indicating that the charge for loan modification services was $4,500, which would be payable in installments.

SOMBOUN SISAVATH

8. On or around November 2008, LIZARRAGO promised Somboun Sisavath (Sisavath) that she would have his lender reduce the principal of his loan to the current market value. A contract was signed between Sisavath and LIZARRAGO, which included a money back guarantee. The total cost for the loan modification services was $4,500. LIZARRAGO collected $2,520 from Sisavath, which has never been returned.

DALILA GAULDEN

9. On October 8, 2008, Dalila Gaulden (Gaulden) was solicited by LIZARRAGO, who introduced herself as the CEO of AFG and as a loan modification specialist. A contract was signed between Gaulden and LIZARRAGO, which indicated that the charge for loan modification services was $4,500.

10. Gaulden paid LIZARRAGO $4,516.50 in three transactions. The first was for $1,016.50 on the initial visit. The second was a personal check for $1,500 made out to LIZARRAGO on November 10, 2008. The third was a personal check for $2,000 made out to LIZARRAGO on November 12, 2008.

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CONCLUSIONS OF LAW

11. Based on the findings of fact contained in paragraphs 1 through 10, LIZARRAGO, acting by herself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the name Avemos Financial Group or other names or fictitious names unknown at this time, solicited 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, and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license under Sections 10130, 10131(d) and 10131.2 of the Code, during a period of time when LIZARRAGO was not licensed by the Department in any capacity. LIZARRAGO, on behalf of AFG, participated, and/or continues to participate, in charging, collecting, and accounting of advance fees, as defined in Section 10026 of the Code, in a manner that is not in compliance with Section 2970 and 2972 of the Regulations.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, you,

ANGELINE LISA LIZARRAGO and AVEMOS FINANCIAL GROUP, INC., whether doing business under your own names, 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.

2. Immediately desist and refrain from collecting advance fees, as that term in defined in Section 10026 of the Code, in any form and particularly with respect to loan modification, loan refinance, principal reduction, foreclosure abatement or short sale services, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you have:

(i) an advance fee agreement which has been submitted to the Department and which is in compliance with Sections 2970 and 2972 of the Regulations;

(ii) placed all previously collected advance fees into a trust account for that purpose and are in compliance with Section 10146 of the Code; and

(iii) provided an accounting to trust fund owner-beneficiaries pursuant to Section 2972 of the Regulations.

DATED: 7-30-09

JEFF DAVI
Real Estate Commissioner

By

BY: Barbara J. Bigby
Chief Deputy Commissioner

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: Angeline Lisa Lizarrago
Avemos Financial Group, Inc.
5018 Mowry Avenue
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