DEPARTMENT OF REAL ESTATE
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FILED

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DEPARTMENT OF REAL ESTATE

By B. Contreras

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

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TO: MOD SPECIALIST, FERNANDO MORA, and DEON JONES.	NO. H-10960 SF ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Real Estate Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of MOD SPECIALIST (MOD), FERNANDO MORA (MORA) dba MOD, and DEON JONES (JONES). Based on the investigation, the Commissioner has determined that MOD, MORA, and JONES, 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), including the business of, acting in the capacity of, and/or advertising or assuming to act as, real estate brokers 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 MOD, MORA, and JONES, those acts are alleged to have been done by MOD, MORA, and JONES, acting by themselves, or

by and/or through one or more agents, associates, affiliates, and/or co-conspirators, and using the names MOD, MORA and/or JONES, or other names or fictitious names unknown at this time.

FINDINGS OF FACT

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

2. MORA has been licensed by the Department as a real estate salesperson since May 24, 1994; said license will expire December 14, 2012. MORA has not been affiliated with a broker since April 7, 2009 and conducted business under the dba MOD Specialist.

3. JONES has been licensed by the Department as a real estate salesperson since January 31, 2004; said license will expire January 30, 2012. JONES was not affiliated with a broker between about July 20, 2009 and about April 11, 2010.

4. On about March 1, 2010, JONES through MORA's dba, MOD, informed Jenna Boutilier (Boutilier), a Deputy Commissioner with the Department, that he performed loan modifications and solicited borrowers to negotiate and/or perform 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.

5. On about March 2, 2010, JONES informed Boutilier that she would have to pay an up front fee of $1,995.00. JONES continued working towards a loan modification for Boutilier through March 15, 2010.

CONCLUSIONS OF LAW

6. Based on the Findings of Fact contained in Paragraphs 1 through 5, above, MOD, MORA, and JONES, acting by themselves, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators and using the names MOD, MORA, and/or JONES, or other names or fictitious names unknown at this time, solicited and performed services for borrowers and/or borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, which requires a real estate license under Sections 10130 and

10131(d) of the Code, during a period of time when MOD, MORA, and JONES were not licensed by the Department as real estate brokers.

DESIST AND REFRAIN ORDER

Based upon the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that MOD SPECIALIST, FERNANDO MORA, and DEON JONES, whether doing business under their own names, or any other names, or any fictitious name, are HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required, unless and until a real estate broker license is obtained, and in particular are ORDERED TO DESIST AND REFRAIN from 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.

DATED: 9/7, 2010

JEFF DAVI
Real Estate 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: **MOD SPECIALIST**
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ATTY MFC/kc