

FILED

AUG 30 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of)	No. H-36391 LA
)	
<u>REFISOUP.COM, INC., and TONY JOON</u>)	
<u>HYUN KIM, individually and as</u>)	
former designated officer of)	
Refisoup.com, Inc.,)	
)	
Respondents,)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on June 30, 2010, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent REFISOUP.COM INC.'s and TONY JOON HYUN KIM's express admissions; (2) affidavits; (3) other evidence.

FACTUAL FINDINGS

1.

On December 15, 2009, Robin Trujillo made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, Notice of Defense, and Provisions of APA Relating to Discovery, were mailed by certified mail to Respondent's last known mailing addresses on file with the Department on December 22, 2009, and by regular mail on April 6, 2010.

2.

On June 30, 2010, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondent REFISOUP.COM INC.'s default was entered herein.

3.

All references to the "Code" are to the California Business and Professions Code and all references to "Regulations" are to Title 10, Chapter 6, California Code of Regulations.

LICENSE HISTORY

4.

A. At all times mentioned, REEFISOUP.COM, INC. ("REFISOUP") was licensed or had license rights issued by the California Department of Real Estate ("Department") as a real estate corporation.

B. At all times mentioned, Tony Joon Hyun Kim ("Kim") was licensed by the Department as a real estate broker. Kim was the designated broker-officer of REFISOUP from August 27, 2008 through June 26, 2009.

LICENSED ACTIVITIES AND BROKERAGE REFISOUP.COM INC.

5.

At all times mentioned, REFISOUP and Kim engaged in the business of an advanced fee brokerage, within the definition of Code Sections 10131(d) and 10131.2, in that, for fees received in advance, as well as at the conclusion of transactions, Respondents performed loan negotiating and modification services with respect to loans which were secured by liens on property

INVESTIGATION

6.

In or about October, 2009, the Department conducted an investigation of the books and records of

REFISOUP and Kim pertaining to the loan modification activities described in Finding 5, herein above, that require a real estate license. The investigation revealed violations of the Code as set forth in the following paragraphs.

VIOLETIONS OF THE REAL ESTATE LAW

7.

In the course of activities described in Finding 5, herein above, Respondent REFISOUP acted in violation of the Code and Regulations in that Respondents:

(a) Failed to retain all records of REFISOUP and Kim's activities requiring a real estate broker license beginning on or about August 27, 2008, including real estate contracts, canceled checks, escrow and trust records, as required by Code Section 10148.

DETERMINATION OF ISSUES

1.

The conduct of Respondent REFISOUP, as described in Finding 7, herein above, is in violation of Code Section 10148 and is cause for disciplinary action pursuant to Code Section 10148 and 10177(d).

2.

The standard of proof applied was clear and convincing proof to a reasonable certainty.

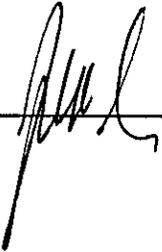
ORDER

The real estate corporation license and license rights of Respondent REFISOUP.COM, INC., under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on SEP 20, 2010

DATED: 8-12, 2010

JEFF DAVI
Real Estate Commissioner



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED

JUN 30 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)	No. H-36391 LA
)	
REFISOUP.COM, INC. and)	
TONY JOON HYUN KIM, individually)	
and as former designated officer)	
of Refisoup.com, Inc.,)	
)	
Respondents.)	

DEFAULT ORDER

Respondent REFISOUP.COM, INC., having failed to file a Notice of Defense within the time required by Section 11506 of the Government Code, is now in default. It is therefore, ordered that a default be entered on the record in this matter.

//
//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

IT IS SO ORDERED

June 28, 2010

JEFF DAVI
Real Estate Commissioner

Dolores Weeks
By: DOLORES WEEKS
Regional Manager

*Miss
Zue*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

FILED

MAY 24 2010

DEPARTMENT OF REAL ESTATE
BY: *[Signature]*

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of) No. H-36391 LA
)
REFISOUP, COM, INC., and)
TONY JOON HYUN KIM,)
individually and as former)
designated officer of)
REFISOUP.COM, INC.,)
)
Respondents.)
_____)

DISMISSAL

The Accusation herein filed on December 21, 2009,
against Respondent TONY JOON HYUN KIM is DISMISSED.

IT IS SO ORDERED 5-12-2010.

JEFF DAVI
Real Estate Commissioner

[Signature]

2.

1 All references to the "Code" are to the California
2 Business and Professions Code and all references to "Regulations"
3 are to Title 10, Chapter 6, California Code of Regulations.
4

5 LICENSE HISTORY

6 3.

7 Respondent REFISOUP.COM, INC. ("REFISOUP"), is
8 presently licensed and/or has license rights under the Real
9 Estate Law (Part 1 of Division 4 of the Code), as a real estate
10 corporation.
11

12 4.

13 Respondent TONY JOON HYUN KIM ("KIM") is presently
14 licensed and/or has license rights under the Real Estate Law as a
15 real estate broker. KIM was the designated broker-officer of
16 REFISOUP from August 27, 2008 through June 26, 2009.

17 BROKERAGE

18 5.

19 At all times herein mentioned, Respondents REFISOUP and
20 KIM engaged in the business of an advance fee brokerage, within
21 the definition of Code Sections 10131(d) and 10131.2, in that,
22 for fees received in advance, as well as at the conclusion of
23 transactions, Respondents performed loan negotiating and
24 modification services with respect to loans which were secured by
25 liens on real property.

26 //

INVESTIGATION

6.

In or about October, 2009, the Department conducted an investigation of the books and records of REFISOUP and KIM pertaining to the loan modification activities described in Paragraph 5, that require a real estate license. The investigation revealed violations of the Code and the Regulations as set forth in the following paragraphs.

VIOLATIONS OF THE REAL ESTATE LAW

7.

In the course of activities described in Paragraph 5, above, Respondents REFISOUP and KIM, acted in violation of the Code and the Regulations in that Respondents:

(a) Failed to retain all records of REFISOUP and KIM's activities requiring a real estate broker license beginning on or about August 27, 2008 including real estate contracts, canceled checks, escrow and trust records, as required by Code Section 10148.

8.

The conduct of Respondents REFISOUP and KIM, described in Paragraph 7, violated the Code and the Regulations as set forth below:

//

//

PARAGRAPH

PROVISIONS VIOLATED

7

Code Section 10148

The foregoing violations constitute cause for the suspension or revocation of the real estate license and license rights of Respondents REFISOUP and KIM under the provisions of Code Sections 10148.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered imposing disciplinary action against the license and license rights of Respondents REFISOUP.COM, INC. and TONY JOON HYUN KIM, under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) and for such other and further relief as may be proper under other applicable provisions of law.

Dated at Los Angeles, California

this 15 day of December, 20



Robin Trujillo
Deputy Real Estate Commissioner

cc: Refisoup.com, Inc.
Tony Joon Hyan Kim
Robin Trujillo
Sacto.