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DEPARTMENT OF REAL ESTATE
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

Telephone: (213) 576-6982

FILED
JAN 25 2010
DEPARTMENT OF REAL ESTATE
By C.G.

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	NO. H-36421 LA
NABILE JOHN ANZ, doing business as Federal Loan Modification, LLP; Federal Loan Modification, LLC; Federal Loan Modifications; Federal Loan Modification; Federal Loan Modification Law Center, LLP; Federal Loan Modification Law Center; FLM Law Center; Anz & Associates, PLC; and/or any other name or fictitious business name used by Nabile John Anz; BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON.	AMENDED ORDER TO DESIST AND REFRAIN (B&P Code Section 10086)

The Order to Desist and Refrain filed on January 13, 2010, is hereby amended to add the Case Number H-36421 LA.

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of NABILE JOHN ANZ (ANZ); BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN; and DARRYL WASHINGTON.

Whenever acts referred to below are attributed to ANZ, those acts are alleged to have been done by ANZ, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to, BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN; and DARRYL WASHINGTON, and using the names "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," and/ or other names or fictitious names unknown at this time.

Based on that investigation, the Commissioner has determined that ANZ has engaged in, is engaging in, or is 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). ANZ is engaging in 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) and Section 10131.2 (charging or collecting an advance fee in connection with obtaining a loan on 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.

FINDINGS OF FACT

Licensees

1. ANZ is presently licensed and/or has license rights under the Real Estate Law as a real estate broker.

2. TRACEY L. COZZETTO, is presently licensed and/or has license rights under the Real Estate Law as a real estate broker.

3. STEFFANIE HEIDEN and MARIELLE EPSTEIN, are presently licensed and/or have license rights under the Real Estate Law as real estate salespersons.

Unlicensed Fictitious Business Name Usage

4. Use of a fictitious business name for activities requiring the issuance of a real estate license requires the filing of an application for the use of such name with the Department in accordance with the provisions of Section 10159.5 of the Code.

5. ANZ has been licensed by the Department as a real estate broker since April 12, 1991. ANZ has no current fictitious business names listed under his real estate broker license.

6. "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," and "Anz & Associates, PLC" have never been licensed by the Department in any capacity.

7. During a period of time from approximately May of 2008 to the present time, ANZ, while doing business as "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz &

Associates, PLC" and/or other names or fictitious names unknown at this time, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation.

8. For an unknown period of time beginning no later than May 2008, and continuing to the present time, ANZ advertised, and continues to advertise, his services under one or more business names including, but not limited to, "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," in various print and electronic media, including a website located at **http://www.fedmod.com**. Those advertisements solicited, and continue to solicit, borrowers offering loan modification services.

9. ANZ, while doing business as the fictitious names listed in Paragraphs 7 and 8 above, engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee, as defined by Section 10026 of the Code, including but not limited to, the activities described in Paragraphs 14 through 24, below.

10. ANZ, while doing business as the fictitious names listed in Paragraphs 7 and 8 above, failed to submit the advance fee agreements and advertising referred to in Paragraphs 14 through 23, below, to the Commissioner ten days before using them.

11. ANZ solicited and represented borrowers in negotiating, refinancing, and obtaining mortgage loans. ANZ acted without Department authorization in using the afore-mentioned fictitious business names to engage in activities requiring the issuance of a real estate license in violation of Section 10159.5 of the Code and Regulation 2731.

<u>Employment and/or Compensation of Unlicensed Persons</u>

12. BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM

STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN and DARRYL WASHINGTON are not now, and have never been, licensed by the Department in any capacity.

13. ANZ employed and/or compensated individuals including those named herein, who were not licensed as real estate salespersons or as real estate brokers to perform some or all of the services alleged in Paragraphs 14 through 24, below in violation of Section 10137 of the Code.

14. During the period of time from approximately May 2008 to the present time, ANZ solicited 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.

Francisco Arzate and Gloria Arzate transaction

15. On or about May 12, 2008, ANZ, doing business as Federal Loan Modification Law Center, entered into an agreement with Francisco Arzate and his mother Gloria Arzate to handle the refinance of the Arzate's real property located at 1238 Wingate Place, Pomona, California 91768. The Arzates dealt with Federal Loan Modification Law Center representative Patti Abarca. ANZ failed to perform the services promised.

Patricia Peters transaction

16. On or about October 21, 2008, ANZ, doing business as Federal Loan Modification ("FLM"), entered into a loan modification agreement with Patricia Peters. Pursuant to the terms of the written fee agreement, Ms. Peters paid an advance fee of $2,995 and FLM was to submit a loss mitigation package and negotiate the terms of Ms. Peters' residential mortgage loan with her lender regarding real property located at 25035 Peppertree Court, Corona, California 92883. Ms. Peters dealt with FLM representatives Shawn Jaber and Laura

Choi. ANZ failed to perform the services promised or to obtain a loan for Ms. Peters on more favorable terms.

John Carr transaction

17. On or about January 12, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with John Carr. Pursuant to the terms of the written agreement, Mr. Carr paid an advance fee of $2,995 and FLM was to negotiate the terms of his first and second mortgage loans on real property located at 610 E. Mansfield, Pontiac, Michigan 48340. Mr. Carr dealt primarily with FLM Law Center, LLP representative Darryl Washington. ANZ failed to perform the services promised or to obtain a loan for Mr. Carr on more favorable terms.

Verneen and Arnold Sutherland transaction

18. On or about January 12, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Verneen and Arnold Sutherland. Pursuant to the terms of the written agreement, the Sutherlands paid an advance fee of $4,190 and FLM was to negotiate the terms of their first and second mortgage loans on real property located at 15180 N.E. 16th Ave., North Miami Beach, Florida 33162. The Sutherlands dealt primarily with FLM Law Center, LLP representatives Tracey Cozzetto, Leon Mirasol and Juan Sanchez. ANZ failed to perform the services promised or to obtain a loan for the Sutherlands on more favorable terms.

Lloyd V. Morris transaction

19. On or about January 15, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Lloyd V. Morris. Pursuant to the terms of the agreement, Mr. Morris paid an advance fee of $4,190 and FLM Law Center, LLP was to negotiate the terms of Mr. Morris' first and second mortgages on real property located at 943 Rancho Roble Way, Sacramento, California 95834. Mr. Morris dealt primarily with FLM Law Center, LLP representatives Erin Nevinson and Joshua Reed. ANZ failed to perform the services promised or to obtain a loan for Mr. Morris on more favorable terms.

Joaquin Gutierrez transaction

20. On or about January 28, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Joaquin Guiterrez. Pursuant to the terms of the written agreement, Mr. Gutierrez paid an advance fee of $3,500 and FLM was to negotiate the terms of his mortgage loan on real property located at 1024 Wernli Court, Arvin, California 93203. Mr. Gutierrez dealt primarily with FLM Law Center, LLP representative Marielle Epstein. ANZ failed to perform the services promised or to obtain a loan for Mr. Gutierrez on more favorable terms.

Brian McCammond transaction

21. On or about February 19, 2009, ANZ, doing business as FLM, also known as Federal Loan Modification Law Center, LLP, entered into a loan modification agreement with Brian McCammond. Pursuant to the terms of the written fee agreement, Mr. McCammond paid an advance fee of $4,190 and FLM was to negotiate the terms of Mr. McCammond's first and second mortgage loans on his residential property located at 323 N. 3rd Street, Los Banos, California 93635. Mr. McCammond dealt primarily with FLM representative and case evaluator Alan Alexander and Supervisor Arash Kahairi. ANZ failed to perform the services promised or to obtain a loan for Mr. McCammond on more favorable terms.

Rosemary De La Rosa transaction

22. On or about March 11, 2009, ANZ, doing business as FLM, entered into a loan modification agreement with Rosemary De La Rosa. Pursuant to the terms of the written agreement, Ms. De La Rosa paid an advance fee of $1,000 and FLM was to negotiate the terms of Ms. De La Rosa's mortgage on real property located at 820 Stone Pine Way, Modesto, California 95351. Ms. De La Rosa dealt primarily with FLM representatives Randy Jackson, Megan Eubank, Adam Stern, Michael Trent, and Supervisor Arash Kahairi. ANZ failed to perform the services promised or to obtain a loan for Ms. De La Rosa on more favorable terms.

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Edna L. Paule and Danilo L. Paule transaction

23. On or about April 3, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Edna L. Paule and Danilo L. Paule. Pursuant to the terms of the written agreement, the Paules paid an advance fee of $995 for negotiation of a first mortgage on real property located at 7701 Man O War Street, Las Vegas, Nevada 92618. The Paules dealt primarily with FLM Law Center, LLP representatives Nick M. Martinez, STEFFANIE Heiden and Sean Ellis. ANZ failed to perform the services promised or to obtain a loan for the Paules on more favorable terms.

Edward Lee Roy Burton transaction

24. On or about May 1, 2009, ANZ, doing business as Federal Loan Modification Law Center ("FLMC"), entered into a loan modification agreement with Edward Lee Roy Burton. Pursuant to the terms of the written fee agreement, Mr. Burton would pay an advance fee of $995 and FLMC was to negotiate the terms of Mr. Burton's residential mortgage loan for real property located at 8469 Sierra Madre Street, Rancho Cucamonga, California 91730. Mr. Burton made numerous telephone calls in an attempt to reach ANZ. He never had any of his messages returned. Mr. Burton dealt with FLMC representative and case evaluator, Dimitri Lujan. ANZ failed to perform the services promised or to obtain a loan for Mr. Burton on more favorable terms.

CONCLUSIONS OF LAW

25. Based on the findings of fact contained in Paragraphs 1 through 24, ANZ acted by himself, or by and/or through one or more agents, associates, affiliates, employees and/or co-conspirators, including, but not limited to, BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON, and used the fictitious business names "Federal Loan

Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," and/ or other names or fictitious names unknown at this time.

26. ANZ used the fictitious business names described in Paragraphs 7 and 8 above to solicit borrowers and perform 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 10131(d) and 10131.2 of the Code, during a period of time when "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," were not licensed by the Department in any capacity, in violation of Section 10159.5 of the Code and Regulation 2731.

27. Based on the findings of fact contained in Paragraphs 1 through 24, ANZ acted by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to, BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON and using the names "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," or other names or fictitious names unknown at this time.

28. ANZ employed or compensated the persons named in Paragraph 27 above to solicit borrowers and perform 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 requires a real estate broker license under Sections 10131(d) and 10131.2 of the Code, during a period of time when the aforementioned persons were not licensed by the Department as a real estate broker or salesperson licensed to work under the employ of ANZ, in violation of Section 10137 of the Code.

29. Based on the information contained in Paragraphs 1 through 24 above, BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN; and DARRYL WASHINGTON, performed and/or participated in loan solicitation, negotiation and modification activities which require a real estate broker license under the provisions of Sections 10131(d) and 10131.2 of the Code during a period of time when none of them were licensed by the Department as a real estate broker nor employed as a real estate salesperson by the broker on whose behalf the activities were performed in violation of Section 10130 of the Code.

30. Based on the information contained in Paragraphs 9 through 24 above, ANZ collected fees pursuant to an agreement which constitutes an advance fee agreement within the meaning of Section 10085 of the Code.

31. Based on the information contained in Paragraphs 7 through 23 above, the failure by ANZ to submit the advance fee agreement and advertising to the Commissioner ten days before using it constitutes a violation of Section 10085 of the Code and Section 2970 of the Regulations.

32. Based on the information contained in Paragraphs 7 through 24 above, ANZ violated Section 10137 of the Code by employing and/or compensating individuals who were not licensed as a real estate salesperson or as a broker to perform activities requiring a real estate license.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that NABILE JOHN ANZ, doing business as "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," and/or any other fictitious business name used by NABILE JOHN ANZ, whether doing business under his own name, or any other names, or any fictitious name; and BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON, 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 you are in compliance with the Real Estate Law as set forth in this Order. In particular, you are ORDERED TO DESIST AND REFRAIN from:

1. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6).

2. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the other real estate related services offered to others, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you:

(a) have an advance fee agreement which has been submitted to the Department and which is in compliance with Section 10085 of the Code and Section 2970 of the Regulations;

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

(c) have provided an accounting to trust fund owner-beneficiaries from whom advance fees have previously been collected in compliance with Section 10146 of the Code and Section 2972 of the Regulations.

3. IT IS HEREBY ORDERED that BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN and DARRYL WASHINGTON, 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. In particular each of them is ORDERED TO DESIST AND REFRAIN from:

(i) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6); and

(ii) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

DATED: 1-19-2010.

JEFF DAVI
Real Estate Commissioner

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: Nabile John Anz dba:
Federal Loan Modification, LLP, Federal Loan Modification, LLC, Federal Loan Modifications, Federal Loan Modification, Federal Loan Modification Law Center, LLP, Federal Loan Modification Law Center, FLM Law Center, Anz & Associates, PLC

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Boaz Minitzer; Patti Abarca; Tracey L. Cozzetto; Leon Mirasol; Juan Sanchez; Shawn Jaber; Laura Choi; Erin Nevinson; Joshua Reed; Alan Alexander; Arash Kahairi; Randy Jackson; Megan Eubank; Adam Stern; Michael Trent; Nick M. Martinez; Steffanie Heiden; Sean Ellis; Dimitri Lujan; Marielle Epstein; and Darryl Washington

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Los Angeles, California 90013

Telephone: (213) 576-6982

FILED
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DEPARTMENT OF REAL ESTATE
By

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

To:	NO.
NABILE JOHN ANZ, doing business as Federal Loan Modification, LLP; Federal Loan Modification, LLC; Federal Loan Modifications; Federal Loan Modification; Federal Loan Modification Law Center, LLP; Federal Loan Modification Law Center; FLM Law Center; Anz & Associates, PLC; and/or any other name or fictitious business name used by Nabile John Anz; BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON.	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 NABILE JOHN ANZ (ANZ); BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN; and DARRYL WASHINGTON.

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Based on that investigation, the Commissioner has determined that ANZ has engaged in, is engaging in, or is 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). ANZ is engaging in 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) and Section 10131.2 (charging or collecting an advance fee in connection with obtaining a loan on 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.

FINDINGS OF FACT

Licensees

1. ANZ is presently licensed and/or has license rights under the Real Estate Law as a real estate broker.

2. TRACEY L. COZZETTO, is presently licensed and/or has license rights under the Real Estate Law as a real estate broker.

3. STEFFANIE HEIDEN and MARIELLE EPSTEIN, are presently licensed and/or have license rights under the Real Estate Law as real estate salespersons.

Unlicensed Fictitious Business Name Usage

4. Use of a fictitious business name for activities requiring the issuance of a real estate license requires the filing of an application for the use of such name with the Department in accordance with the provisions of Section 10159.5 of the Code.

5. ANZ has been licensed by the Department as a real estate broker since April 12, 1991. ANZ has no current fictitious business names listed under his real estate broker license.

6. "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," and "Anz & Associates, PLC" have never been licensed by the Department in any capacity.

7. During a period of time from approximately May of 2008 to the present time, ANZ, while doing business as "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC" and/or other names or fictitious names unknown at this time, acted in the capacity of, advertised or assumed to act as a real estate broker in the State of California, within

the meaning of Sections 10131(d) and 10131.2 of the Code, for or in expectation of compensation.

8. For an unknown period of time beginning no later than May 2008, and continuing to the present time, ANZ advertised, and continues to advertise, his services under one or more business names including, but not limited to, "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," in various print and electronic media, including a website located at **http://www.fedmod.com**. Those advertisements solicited, and continue to solicit, borrowers offering loan modification services.

9. ANZ, while doing business as the fictitious names listed in Paragraphs 7 and 8 above, engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee, as defined by Section 10026 of the Code, including but not limited to, the activities described in Paragraphs 14 through 24, below.

10. ANZ, while doing business as the fictitious names listed in Paragraphs 7 and 8 above, failed to submit the advance fee agreements and advertising referred to in Paragraphs 14 through 23, below, to the Commissioner ten days before using them.

11. ANZ solicited and represented borrowers in negotiating, refinancing, and obtaining mortgage loans. ANZ acted without Department authorization in using the afore-mentioned fictitious business names to engage in activities requiring the issuance of a real estate license in violation of Section 10159.5 of the Code and Regulation 2731.

Employment and/or Compensation of Unlicensed Persons

12. BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN and DARRYL WASHINGTON are not now, and have never been, licensed by the Department in any

capacity.

13. ANZ employed and/or compensated individuals including those named herein, who were not licensed as real estate salespersons or as real estate brokers to perform some or all of the services alleged in Paragraphs 14 through 24, below in violation of Section 10137 of the Code.

14. During the period of time from approximately May 2008 to the present time, ANZ solicited 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.

Francisco Arzate and Gloria Arzate transaction

15. On or about May 12, 2008, ANZ, doing business as Federal Loan Modification Law Center, entered into an agreement with Francisco Arzate and his mother Gloria Arzate to handle the refinance of the Arzate's real property located at 1238 Wingate Place, Pomona, California 91768. The Arzates dealt with Federal Loan Modification Law Center representative Patti Abarca. ANZ failed to perform the services promised.

Patricia Peters transaction

16. On or about October 21, 2008, ANZ, doing business as Federal Loan Modification ("FLM"), entered into a loan modification agreement with Patricia Peters. Pursuant to the terms of the written fee agreement, Ms. Peters paid an advance fee of $2,995 and FLM was to submit a loss mitigation package and negotiate the terms of Ms. Peters' residential mortgage loan with her lender regarding real property located at 25035 Peppertree Court, Corona, California 92883. Ms. Peters dealt with FLM representatives Shawn Jaber and Laura Choi. ANZ failed to perform the services promised or to obtain a loan for Ms. Peters on more favorable terms.

John Carr transaction

17. On or about January 12, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with John Carr. Pursuant to the terms of the written agreement, Mr. Carr paid an advance fee of $2,995 and FLM was to negotiate the terms of his first and second mortgage loans on real property located at 610 E. Mansfield, Pontiac, Michigan 48340. Mr. Carr dealt primarily with FLM Law Center, LLP representative Darryl Washington. ANZ failed to perform the services promised or to obtain a loan for Mr. Carr on more favorable terms.

Verneen and Arnold Sutherland transaction

18. On or about January 12, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Verneen and Arnold Sutherland. Pursuant to the terms of the written agreement, the Sutherlands paid an advance fee of $4,190 and FLM was to negotiate the terms of their first and second mortgage loans on real property located at 15180 N.E. 16th Ave., North Miami Beach, Florida 33162. The Sutherlands dealt primarily with FLM Law Center, LLP representatives Tracey Cozzetto, Leon Mirasol and Juan Sanchez. ANZ failed to perform the services promised or to obtain a loan for the Sutherlands on more favorable terms.

Lloyd V. Morris transaction

19. On or about January 15, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Lloyd V. Morris. Pursuant to the terms of the agreement, Mr. Morris paid an advance fee of $4,190 and FLM Law Center, LLP was to negotiate the terms of Mr. Morris' first and second mortgages on real property located at 943 Rancho Roble Way, Sacramento, California 95834. Mr. Morris dealt primarily with FLM Law Center, LLP representatives Erin Nevinson and Joshua Reed. ANZ failed to perform the services promised or to obtain a loan for Mr. Morris on more favorable terms.

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Joaquin Gutierrez transaction

20. On or about January 28, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Joaquin Guiterrez. Pursuant to the terms of the written agreement, Mr. Gutierrez paid an advance fee of $3,500 and FLM was to negotiate the terms of his mortgage loan on real property located at 1024 Wernli Court, Arvin, California 93203. Mr. Gutierrez dealt primarily with FLM Law Center, LLP representative Marielle Epstein. ANZ failed to perform the services promised or to obtain a loan for Mr. Gutierrez on more favorable terms.

Brian McCammond transaction

21. On or about February 19, 2009, ANZ, doing business as FLM, also known as Federal Loan Modification Law Center, LLP, entered into a loan modification agreement with Brian McCammond. Pursuant to the terms of the written fee agreement, Mr. McCammond paid an advance fee of $4,190 and FLM was to negotiate the terms of Mr. McCammond's first and second mortgage loans on his residential property located at 323 N. 3rd Street, Los Banos, California 93635. Mr. McCammond dealt primarily with FLM representative and case evaluator Alan Alexander and Supervisor Arash Kahairi. ANZ failed to perform the services promised or to obtain a loan for Mr. McCammond on more favorable terms.

Rosemary De La Rosa transaction

22. On or about March 11, 2009, ANZ, doing business as FLM, entered into a loan modification agreement with Rosemary De La Rosa. Pursuant to the terms of the written agreement, Ms. De La Rosa paid an advance fee of $1,000 and FLM was to negotiate the terms of Ms. De La Rosa's mortgage on real property located at 820 Stone Pine Way, Modesto, California 95351. Ms. De La Rosa dealt primarily with FLM representatives Randy Jackson, Megan Eubank, Adam Stern, Michael Trent, and Supervisor Arash Kahairi. ANZ failed to perform the services promised or to obtain a loan for Ms. De La Rosa on more favorable terms.

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Edna L. Paule and Danilo L. Paule transaction

23. On or about April 3, 2009, ANZ, doing business as FLM Law Center, LLP, entered into a loan modification agreement with Edna L. Paule and Danilo L. Paule. Pursuant to the terms of the written agreement, the Paules paid an advance fee of $995 for negotiation of a first mortgage on real property located at 7701 Man O War Street, Las Vegas, Nevada 92618. The Paules dealt primarily with FLM Law Center, LLP representatives Nick M. Martinez, STEFFANIE Heiden and Sean Ellis. ANZ failed to perform the services promised or to obtain a loan for the Paules on more favorable terms.

Edward Lee Roy Burton transaction

24. On or about May 1, 2009, ANZ, doing business as Federal Loan Modification Law Center ("FLMC"), entered into a loan modification agreement with Edward Lee Roy Burton. Pursuant to the terms of the written fee agreement, Mr. Burton would pay an advance fee of $995 and FLMC was to negotiate the terms of Mr. Burton's residential mortgage loan for real property located at 8469 Sierra Madre Street, Rancho Cucamonga, California 91730. Mr. Burton made numerous telephone calls in an attempt to reach ANZ. He never had any of his messages returned. Mr. Burton dealt with FLMC representative and case evaluator, Dimitri Lujan. ANZ failed to perform the services promised or to obtain a loan for Mr. Burton on more favorable terms.

CONCLUSIONS OF LAW

25. Based on the findings of fact contained in Paragraphs 1 through 24, ANZ acted by himself, or by and/or through one or more agents, associates, affiliates, employees and/or co-conspirators, including, but not limited to, BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON, and used the fictitious business names "Federal Loan

Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," and/ or other names or fictitious names unknown at this time.

26. ANZ used the fictitious business names described in Paragraphs 7 and 8 above to solicit borrowers and perform 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 10131(d) and 10131.2 of the Code, during a period of time when "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," were not licensed by the Department in any capacity, in violation of Section 10159.5 of the Code and Regulation 2731.

27. Based on the findings of fact contained in Paragraphs 1 through 24, ANZ acted by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to, BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON and using the names "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," or other names or fictitious names unknown at this time.

28. ANZ employed or compensated the persons named in Paragraph 27 above to solicit borrowers and perform 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 requires a real estate broker license under Sections 10131(d) and 10131.2 of the Code, during a period of time when the aforementioned persons were not licensed by the Department as a real estate broker or salesperson licensed to work under the employ of ANZ, in violation of Section 10137 of the Code.

29. Based on the information contained in Paragraphs 1 through 24 above, BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN; and DARRYL WASHINGTON, performed and/or participated in loan solicitation, negotiation and modification activities which require a real estate broker license under the provisions of Sections 10131(d) and 10131.2 of the Code during a period of time when none of them were licensed by the Department as a real estate broker nor employed as a real estate salesperson by the broker on whose behalf the activities were performed in violation of Section 10130 of the Code.

30. Based on the information contained in Paragraphs 9 through 24 above, ANZ collected fees pursuant to an agreement which constitutes an advance fee agreement within the meaning of Section 10085 of the Code.

31. Based on the information contained in Paragraphs 7 through 23 above, the failure by ANZ to submit the advance fee agreement and advertising to the Commissioner ten days before using it constitutes a violation of Section 10085 of the Code and Section 2970 of the Regulations.

32. Based on the information contained in Paragraphs 7 through 24 above, ANZ violated Section 10137 of the Code by employing and/or compensating individuals who were not licensed as a real estate salesperson or as a broker to perform activities requiring a real estate license.

DESIST AND REFRAIN ORDER

Based upon the FINDINGS OF FACT and CONCLUSIONS OF LAW stated herein, it is hereby ordered that NABILE JOHN ANZ, doing business as "Federal Loan Modification, LLP," "Federal Loan Modification, LLC," "Federal Loan Modifications," "Federal Loan Modification," "Federal Loan Modification Law Center, LLP," "Federal Loan Modification Law Center," "FLM Law Center," "Anz & Associates, PLC," and/or any other fictitious business name used by NABILE JOHN ANZ, whether doing business under his own name, or any other names, or any fictitious name; and BOAZ MINITZER; PATTI ABARCA; TRACEY L. COZZETTO; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; STEFFANIE HEIDEN; SEAN ELLIS; DIMITRI LUJAN; MARIELLE EPSTEIN and DARRYL WASHINGTON, 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 you are in compliance with the Real Estate Law as set forth in this Order. In particular, you are ORDERED TO DESIST AND REFRAIN from:

1. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modification or any other form of mortgage loan forbearance services in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6).

2. Immediately desist and refrain from charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any of the other real estate related services offered to others, unless and until you demonstrate and provide evidence satisfactory to the Commissioner that you:

(a) have an advance fee agreement which has been submitted to the Department and which is in compliance with Section 10085 of the Code and Section 2970 of the Regulations;

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

(c) have provided an accounting to trust fund owner-beneficiaries from whom advance fees have previously been collected in compliance with Section 10146 of the Code and Section 2972 of the Regulations.

3. IT IS HEREBY ORDERED that BOAZ MINITZER; PATTI ABARCA; LEON MIRASOL; JUAN SANCHEZ; SHAWN JABER; LAURA CHOI; ERIN NEVINSON; JOSHUA REED; ALAN ALEXANDER; ARASH KAHAIRI; RANDY JACKSON; MEGAN EUBANK; ADAM STERN; MICHAEL TRENT; NICK M. MARTINEZ; SEAN ELLIS; DIMITRI LUJAN and DARRYL WASHINGTON, 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. In particular each of them is ORDERED TO DESIST AND REFRAIN from:

(i) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6); and

(ii) charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, for any other real estate related services offered by them to others.

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DATED: 12/24/2009

JEFF DAVI
Real Estate Commissioner

By WAYNE S. BELL
Chief Counsel

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: Nabile John Anz dba:
Federal Loan Modification, LLP, Federal Loan Modification, LLC, Federal Loan Modifications, Federal Loan Modification, Federal Loan Modification Law Center, LLP, Federal Loan Modification Law Center, FLM Law Center, Anz & Associates, PLC

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