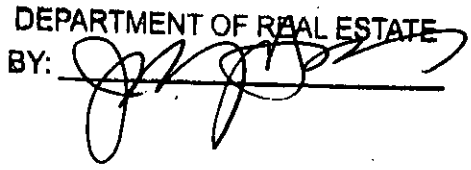
FILED

AUG 10 2011

DEPARTMENT OF REAL ESTATE

BY: 

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of REVIV KARPMAN Respondent.	No. H-37023 LA

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 15, 2011, and the findings of fact set forth herein are based on one or more of the following: (1) Respondent's express admissions; (2) affidavits; and (3) other evidence.

FINDINGS OF FACT

I

On January 19, 2011, Maria Suarez made the Accusation in her official capacity as a Deputy Real Estate Commissioner of the State of California. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by certified mail, to Respondent's last known mailing address on file with the Department on January 21, 2011. The Accusation, Statement to Respondent, and Notice of Defense were mailed, by regular mail, to Respondent's last known mailing address on file with the Department on February 15, 2011.

On June 15, 2011, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government code, Respondent's default was entered herein.

II

Respondent REVIV KARPMAN ("Respondent") is presently licensed and/or has license rights under the Real Estate Law, Part 1 of Division 4 of the California Business and Professions Code (hereinafter "Code") as a real estate salesperson.

III

Unlicensed Entity

Mason Capital Group, LLC ("MCG") and Gretchen Fox and Associates ("GFA"), are not now, nor have ever been licensed by the Department in any capacity. They are not registered corporations incorporated under the laws of the State of California. At the time set forth below, Respondent solicited borrowers to negotiate loans secured by real property for compensation or in expectation of compensations to MCG and GFA.

IV.

Unlicensed Activity

Respondent engaged in activities requiring a real estate license pursuant to Code Section 10131 and 10131.2 as set forth below. Respondent engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026.

a. Robert A. Transaction: On or about April 9, 2008, Robert A. ("R.A.") paid to Steve Byrne of MCG and GFA an advance fee of $3,000.00 by credit card, pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 7666 Summerfield Hills Drive, Warrenton, Virginia 20186. After seven months, Robert A. learned that MCG and GFA had not worked on negotiating or modifying the terms of his loan on the Summerfield hills property.

b. Zelda T. Transaction: On or about October 2, 2008, Zelda T. submitted a credit card payment in the amount $600.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan

solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803.

c. On or about November 12, 2008, Zelda T. submitted a bank deposit in the amount $400.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803. By December 4, 2008, Zelda T. received a letter of foreclosure from her mortgage lender and was unable to speak with anyone from American Financial Group, MCG, or GFA. When Zelda T. tried to call MCG and GFA again on December 26, 2008, she learned that the telephone number had been disconnected.

d. Advertising and Solicitation: On or about December 17, 2008 MCG and GFA distributed advertising materials and solicited consumer Nicole A.. On or about June 11, 2008 MCG and GFA distributed advertising materials and solicited consumer Lorna F.

DETERMINATION OF ISSUES

I

Respondent's conduct, acts, and/or omissions are in violation of Code Sections 10130 and 10085 and Section 2910, Title 10, Chapter 6, California Code of Regulations. Cause for disciplinary action against Respondent exists pursuant to Business and Professions Code Sections 10177(d) and 10177(g).

II

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

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ORDER

The licenses and license rights of Respondent REVIV KARPMAN 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 AUG 30 2011.

DATED: 8/3/11.

BARBARA J. BIGBY
Acting Real Estate Commissioner

Department of Real Estate
320 West Fourth Street, Suite 350
Los Angeles, California 90013-1105
(213) 576-6982

FILED

JUN 15 2011

DEPARTMENT OF REAL ESTATE
BY: [signature]

BEFORE THE DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of REVIV KARPMAN, Respondent.	NO. H-37023 LA DEFAULT ORDER

Respondent, REVIV KARPMAN, 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.

IT IS SO ORDERED June 15, 2011.

Barbara J. Bigby
Acting Real Estate Commissioner

Dolores Weeks

By: Dolores Weeks
Regional Manager

JULIE L. TO, State Bar No. 219482
Department of Real Estate
320 West Fourth Street, Ste. 350
Los Angeles, California 90013

Telephone: (213) 576-6982
(Direct) (213) 576-6916

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DEPARTMENT OF REAL ESTATE
BY: _____

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)) REVIV KARPMAN))) Respondent.)	No. H-37023 LA A C C U S A T I O N

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, for cause of Accusation against REVIV KARPMAN ("KARPMAN") is informed and alleges as follows:

1.

The Complainant, Maria Suarez, a Deputy Real Estate Commissioner of the State of California, makes this Accusation in her official capacity.

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Licensee

2.

Respondent KARPMAN is presently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code, hereinafter "Code"), as a real estate salesperson. Respondent was first licensed as a real estate salesperson on February 9, 1994. Respondent's license expired on May 5, 2010. Respondent has renewal rights under Code Section 10201. The Department of Real Estate("Department") retains jurisdiction pursuant to Code Section 10103. At the time of the transactions, Respondent listed no employing broker.

Unlicensed Entity

3.

MASON CAPITAL GROUP, LLC ("MCG") is not now, and has never been, licensed by the Department in any capacity. MCG is not a registered corporation incorporated under the laws of the State of California. MCG has no Fictitious Business Name Statements filed with the County of Los Angeles. At the times set forth below, Respondent KARPMAN solicited borrowers to negotiate loans secured by real property for compensation or in expectation of compensation to MCG.

4.

GRETCHEN FOX AND ASSOCIATES, LLC ("GFA") is not now, and has never been, licensed by the Department in any capacity. GFA is not a registered corporation incorporated under the laws

of the State of California. GFA has no Fictitious Business Name Statements filed with the County of Los Angeles. At the times set forth below, Respondent KARPMAN solicited borrowers to negotiate loans secured by real property for compensation or in expectation of compensation to GFA.

Unlicensed Activity

5.

At all times mentioned herein, in the State of California, Respondent KARPMAN engaged in the performance of activities requiring a real estate license pursuant to Code Section 10131 and 10131.2. Said activities require that they be employed by a real estate broker and that they be acting under the supervision and control of a real estate broker to whom they are licensed. Respondent KARPMAN's acts set forth below were carried out without the knowledge and supervision of any listed employing brokers. Respondent KARPMAN engaged in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of advance fees, within the meaning of Code Section 10026, including, but not limited to, the following loan activities with respect to loans which were secured by liens on real property:

a. Robert A. Transaction: On or about April 9, 2008, Robert A. ("R.A.") paid to Steve Byrne of MCG and GFA an advance fee of $3,000.00 by credit card, pursuant to an agreement pertaining to loan solicitation, negotiation, and modification

services to be provided by MCG and GFA with respect to a loan secured by real property located at 7666 Summerfield Hills Drive, Warrenton, Virginia 20186. After seven months, Robert A. learned that MCG and GFA had not worked on negotiating or modifying the terms of his loan on the Summerfield hills property.

b. Zelda T. Transaction: On or about October 2, 2008, Zelda T. submitted a credit card payment in the amount $600.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803.

c. On or about November 12, 2008, Zelda T. submitted a bank deposit in the amount $400.00 to Kandace Marshall of MCG and GFA for advance fees pursuant to an agreement pertaining to loan solicitation, negotiation, and modification services to be provided by MCG and GFA with respect to a loan secured by real property located at 922 Highpearl Street, Petersburg, Virginia 23803. By December 4, 2008, Zelda T. received a letter of foreclosure from her mortgage lender and was unable to speak with anyone from American Financial Group, MCG, or GFA. When Zelda T. tried to call MCG and GFA again on December 26, 2008, she learned that the telephone number had been disconnected.

d. Advertising and Solicitation: On or about December 17, 2008 MCG and GFA distributed advertising materials and solicited consumer Nicole A.. On or about June 11, 2008 MCG and

GFA distributed advertising materials and solicited consumer Lorna F..

6.

Respondent KARPMAN collected the advance fees described in Paragraphs 5a through 5c, above, pursuant to the provisions of a written agreement which constitutes an advance fee agreement within the meaning of Code Section 10085 and 10085.5.

7.

Respondent KARPMAN failed to submit the written agreement referenced in Paragraphs 5a through 5c, above, to the Commissioner ten days before using it in violation of Code Section 10085 and Section 2970, Title 10, Chapter 6, Code of Regulations ("Regulations").

8.

Based on the conduct, acts and/or omissions as set forth in Paragraph 5, Respondent KARPMAN acting by himself, or by and/or through one ore more agents, representatives, associates, and/or co-conspirators, while using the name "Mason Capital Group, LLC" or "Gretchen Fox and Associates, LLC" 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 10131(d) and 10131.2 of the Code, during a period of time when Respondent

KARPMAN was not licensed by the Department as real estate brokers, in violation of Section 10130 of the Code.

9.

The conduct, acts and/or omissions of Respondent, as set forth above, are cause for the suspension or revocation of the licenses and license rights of Respondent pursuant to Code Sections 10085, 10130, 10177(d) and/or 10177(g).

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 all the licenses and license rights of Respondent REVIV KARPMAN 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 19th day of January, 2011.

Maria Suarez
Deputy Real Estate Commissioner

cc: REVIV KARPMAN
Maria Suarez
Sacto.